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KING AND BARONAGE

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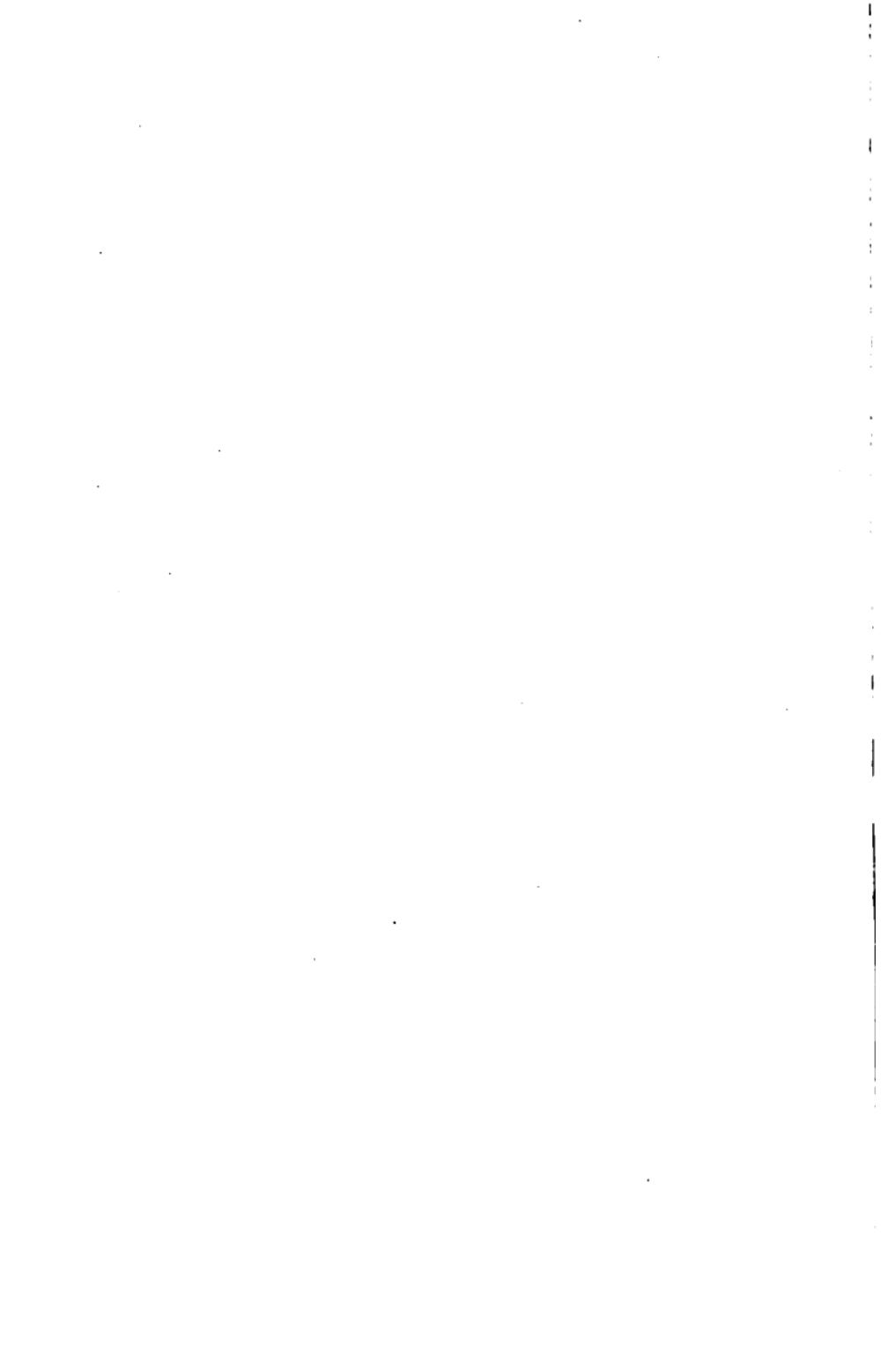
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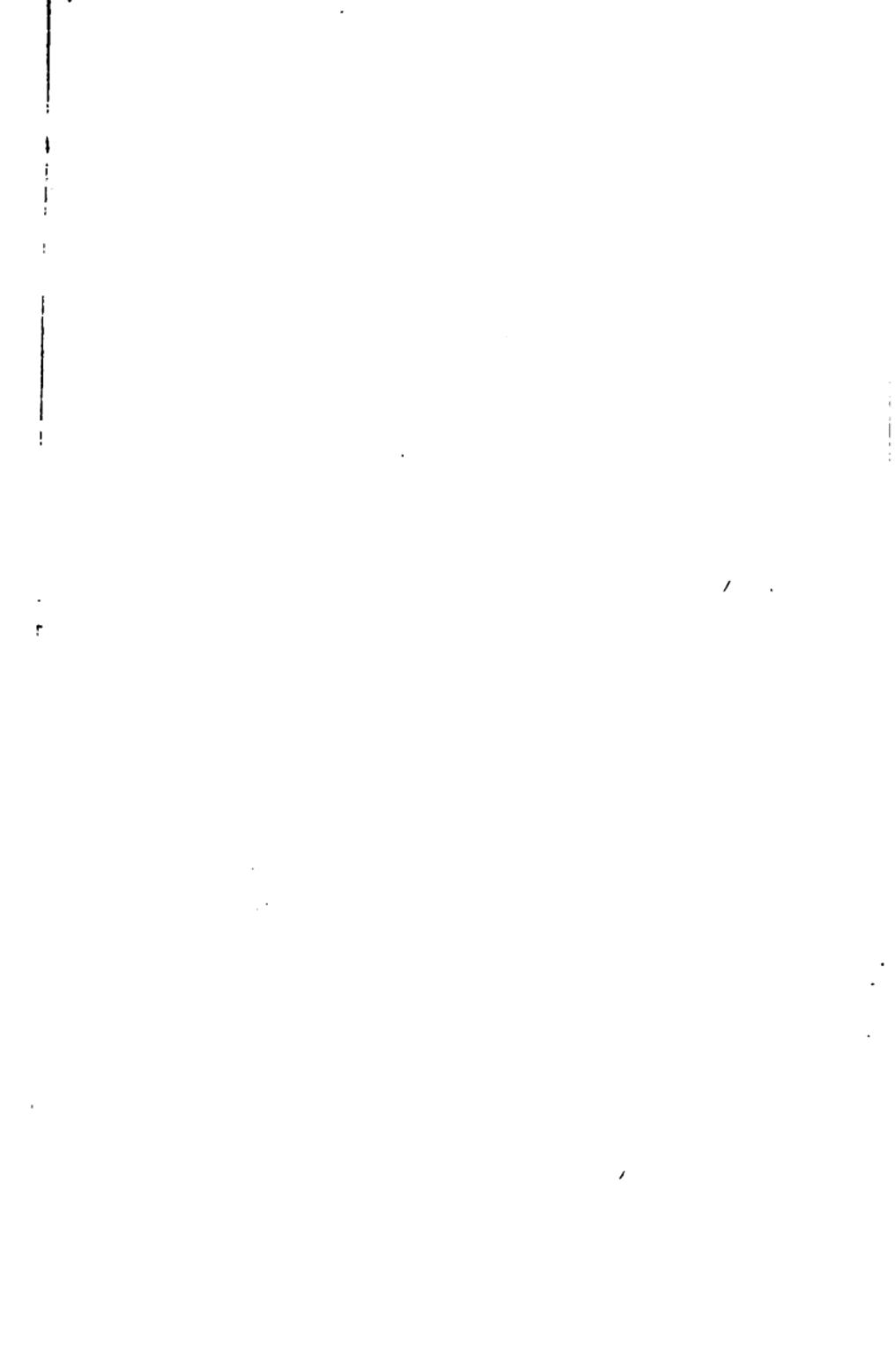
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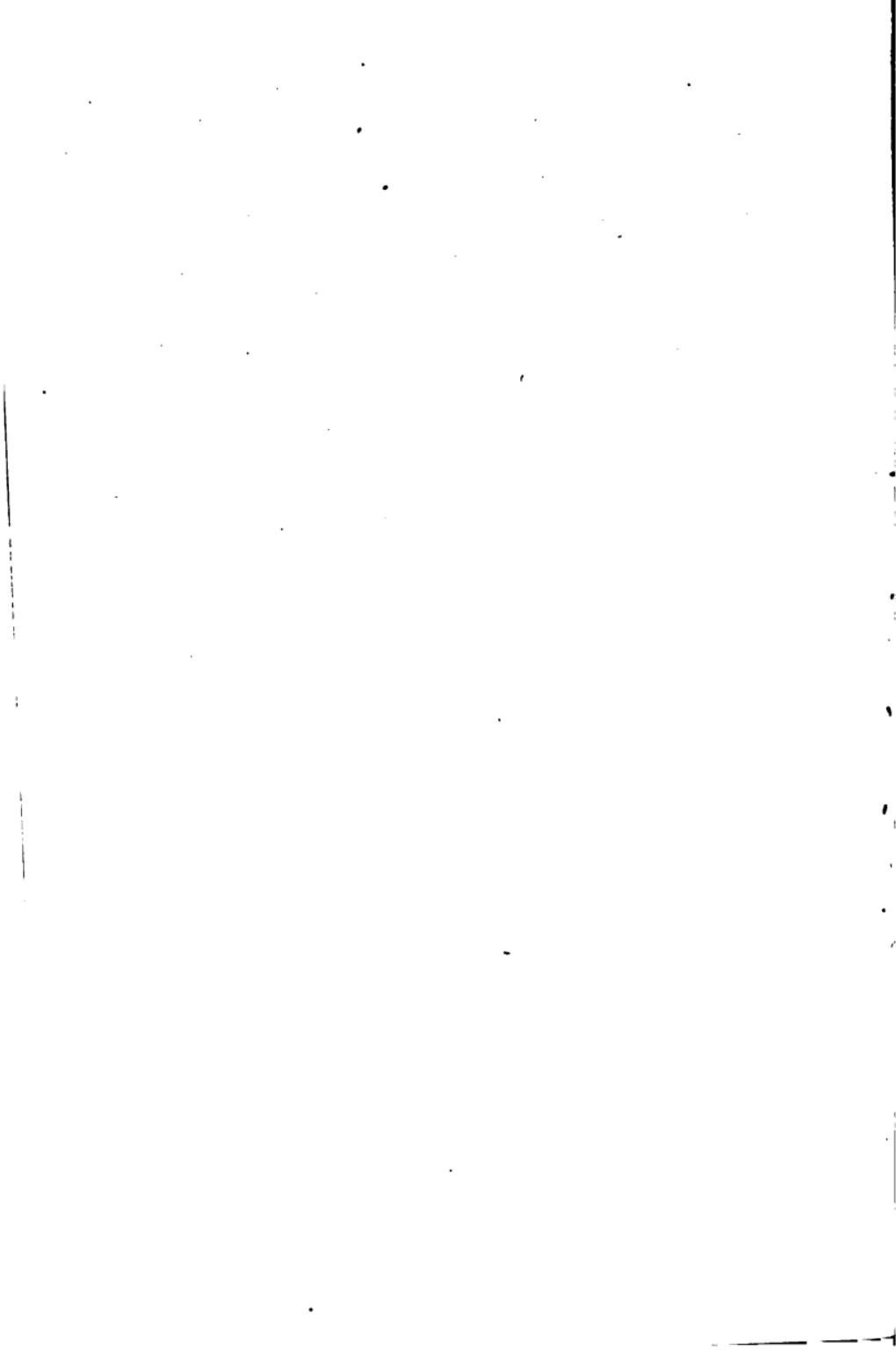
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KING AND BARONAGE

(A.D. 1135—1327)

BY

W. H. HUTTON, B.D.

FELLOW AND TUTOR OF ST. JOHN'S COLLEGE
EXAMINER IN THE HONOUR SCHOOL OF MODERN HISTORY

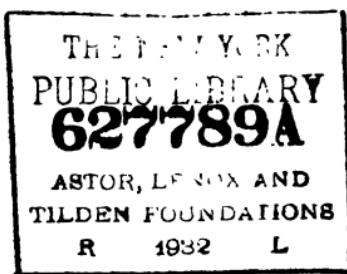
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fully to the same scale, and the editor has done his best to put before the various authors the necessity of a uniform method of treatment.

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CONTENTS.

CHAP.		Page
I.	FEUDAL ANARCHY, 1135-1154,	7
II.	THE REIGN OF HENRY II., 1154-1189,	15
III.	THE REIGN OF RICHARD I., 1189-1199,	39
IV.	THE REIGN OF JOHN, 1199-1216,	48
V.	THE REIGN OF HENRY III., 1216-1272,	59
VI.	THE REIGN OF EDWARD I., 1272-1307,	80
VII.	THE REIGN OF EDWARD II., 1307-1327,	97
VIII.	ENGLAND UNDER THE HOUSE OF ANJOU, 1154-1327,	104
	INDEX,	113

Map of Henry II.'s Dominions,	18
Map of England under the House of Anjou,	74
Map of Wales under Edward I.,	84
Table of the Family of Henry II.,	38
Table of the Kindred of Henry III.,	65
Table of the Scots Succession,	91

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1. *What is the name of the author of the book?*

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KING AND BARONAGE

(1135—1328 A.D.).

CHAPTER I.

FEUDAL ANARCHY, 1135-1154

With the reign of Henry I. the immediate results of the Norman Conquest appeared to have been worked out. The new race of English kings had taken their place among the great powers of Europe in right of their island kingship no less than of their continental lands. The church as well as the state of England had become less insular. For good or ill the pope's hand was felt in the land even while his claims were checked and resisted. Society, influenced both by church and baronage, felt the change, and literature reflected it. Language was changing under the new relation with foreigners, and art was rapidly growing into vigorous life under the wider horizon. The old English law had passed away, or been transformed into a new thing, in which the feudal customs of the Normans were predominant. Lastly, the men who lived on English soil were a different, and a mixed, race.

Results of the Norman Conquest.

Such was the England which Henry I. left behind him. There was much of change in the old England, but there was not yet much of union. The English folk had learnt to look to church and king to aid them against their new masters the barons, who were still half enemies. The barons were not yet content to lie down under the iron rule of a king who taught them that fixed feudal service was included in a still wider demand, the universal obli-

gation of allegiance from every man that trod the English soil to the king that sat upon the English throne. While he lived, the stern Henry (as the English Chronicle itself records) made peace for man and beast. "Stark man he was, and there was great awe of him. The highways were safe while he ruled, and the island was not vexed with war. Whoso followed his business and bare his burden, be it gold or silver, no man durst say unto him aught but good." In words such as these could the English remember him who gave them peace. Now he had, so his foreign counsellor the Archbishop of Rouen hoped, the peace he had loved in his lifetime. But England plunged again into the distractions of civil war. "There was soon", says the Chronicle, "tribulation in the land, for every man that could soon robbed another."

Henry I. died at Rouen on the night of December 1, 1135. Of his lawful children only his daughter Matilda The Empress survived him. She had been wife to the Matilda. Emperor Henry V., and was now married to Geoffrey, Count of Anjou, the heir of the traditional rivals of the Norman house. From this union sprang the great house of Anjou, which was to have so vast an influence on English history. The counts who ruled over the little state in central Gaul on the banks of the lower Loire and the Maine,—the borderland between France, Aquitaine and Brittany,—had long been a stalwart, stark, and sturdy race, whom their neighbours had learnt to fear. Fulk the Black, Geoffrey Martel, and Fulk V. were great men, who raised a small state into prominence; but there was a grim impressiveness about the race that seemed to come from another source. Legends rose which traced the line back to a count who had married a spouse of unearthly origin. "What wonder if we lack the natural affections of mankind—we who come from the devil and must needs go back to him!" So Richard I. is recorded to have said.

Geoffrey, the young Count of Anjou, was the son of Fulk V., and had married the widowed Empress Matilda when he was but a lad of fifteen. Five years later, on March 5,

1133, the son was born who was to become the first of the Angevin house in England, and to inherit all the fierce tenacity and the strong resolution of the families from which he was sprung. It seemed then to the great Henry I. that his throne would happily pass to his daughter and her son; and to make the succession still surer, he made his lords and bishops swear fealty to the empress, and "also to her little son, whom he appointed to be king after him". But no sooner was he dead than the oath was forgotten. The magnates, Norman and half English, cared not for Matilda, who had only spent two years in England since she was eight years old; and her husband was the hereditary foe of the barons who traced their descent from the great vassals of the Conqueror. Thus it was that when Henry died, the barons in England and in Normandy vowed that no one of the false race of the Angevins should be their king. They held themselves as mighty as any such southern lord, and both in the island they had conquered and in their own land they rejected the dead king's daughter and her handsome spouse. "We will not have a foreigner to reign over us"; so they spoke of the Count Geoffrey.

There was another claimant to the throne, who, if he was no more Norman than Matilda, yet would not bring the Normans under an alien house. The ^{Stephen of} conqueror's daughter Adela had married the ^{Blois.} Count of Blois, a house at rivalry with Anjou but not unfriendly to the Normans. Their third son Stephen had been brought up at the court of his uncle, King Henry. He was a bold, hearty man, with the instincts, it seemed, of a baron rather than a king. From him the barons in England could look for at least something of the independence which they still chafed at losing. England, it was said, had never been ruled by a woman, and now a strong man, the great Conqueror's own grandson, stood for the throne. No wonder the barons were unmindful of their oaths. The church followed the lead of the claimant's brother Henry, who was bishop of the royal city of Winchester. But a stronger voice than

either was found at the moment in the citizens of London. They met Stephen with acclamations, and in their folkmoot, which King Henry had recognized as possessing wide powers over the great city, they, speaking in His corona-
tion. the name of the people of the land, chose him to be lord and king. "Elected by clergy and people", as he himself phrased it, King Stephen was crowned on S. Stephen's Day, 1135.

For the time it seemed as if the new reign might be peaceful as the last. Even Robert of Gloucester, the natural son of Henry I., submitted to the king, and Normandy followed the English example. Stephen issued charters promising good government, the freedom of the church, the suppression of wrongs wrought by greedy officials, the surrender of the forests which the late king had made. He soon crushed a rising in Normandy; he made his power felt against unruly barons at Exeter and at Norwich; and he brought David, King of Scots, Matilda's uncle, to agree to a truce.

So passed the years 1136 and 1137. In 1138 the scene suddenly changed, and war was begun which was only to end when the new king himself was near his death. Stephen's own imprudence, even more than his dangerous enemies, brought about his woeful fall. Early in the year Robert of Gloucester renounced his allegiance. The king seized some of his lands, but was unable to capture his strong castle of Bristol. The King of Scots, with a wild horde of half-savage soldiers, overran the northern shires. Then the church stood forth to defend the peace of her children; and the good Thurstan, Archbishop of York, who had been to the people of his vast diocese a great and liberal ruler, called together the *fyrd* (the host of the people) to withstand the foe. The two armies met on the moor of Northallerton. The English folk took with them the banners of their own native saints, S. Cuthbert of Durham and S. Wilfrid of Ripon, as well as S. Peter of York and S. John of Beverley—together with the king's standard. After a fierce fight the invaders fled back towards

Carlisle. Thus, on August 22, 1138, was won the English people's victory for their Norman king, to which was given the name of the Battle of the Standard. Yet at no very long time after, Stephen ceded Cumberland and Northumberland to the Scottish king to buy off his further attacks. They were to be held as an earldom dependent on the English crown.

But the danger was not yet over. There were risings all over England, which the king could with difficulty put down. The barons began to fortify great castles, and the king foolishly to grant them new privileges, to endow them with crown rights, to give them shares in the fines levied in the law courts, and to encourage their independence just where he should have curbed their power. The great churchmen took alarm. Roger, Bishop of Salisbury, and his family were men whom Henry I. had raised from mere poor clerks to be the founders of an administration, the organizers and agents of a great system of justice and finance. In their hands lay the secrets of government, the rules by which the king acted, the knowledge of the ways in which he made his power felt in distant shires. When Roger of Salisbury, who was justiciar, his son Roger, who was chancellor, and his nephews, Nigel, Bishop of Ely, the treasurer, and Alexander, Bishop of Lincoln, had given their support to the new king, they had secured to him the smooth working of the administrative machinery which had been in their hands for thirty years. They were haughty and ostentatious; they had great castles and large armed forces; but they were men of business, and to anger them was an act of suicidal folly. Yet Stephen in June 1138 arrested the justiciar, the chancellor, and the Bishop of Lincoln, and deprived the Bishop of Ely of his see. From that moment the government was at an end, for there were none to administer affairs, and the clergy as well as the officials were turned against the king.

War now broke out in earnest. On September 30, 1139, the Empress Matilda landed at Portsmouth with her half-brother, Robert of Gloucester. The battles

fought were but a small part of the misery that ensued. Everywhere the barons built castles and freed themselves ^{The Civil War.} from royal control. "They put the wretched country-folk to sore toil with their castle building", says the English Chronicle; "and when the castles were made, they filled them with devils and evil men. Then they took all those that they deemed had any goods, both by night and by day, men and women alike, and put them in prison to get their gold and silver, and tortured them with tortures unspeakable. . . . Many thousands they slew with hunger. I cannot tell all the horrors and all the tortures that they laid on wretched men in this land; and it lasted full nineteen winters." Then Stephen brought in foreign hired men to fight for him, and they were without pity, and men "said openly that Christ and His saints slept". They spared neither churches nor poor man's land, they cared for no law of church or state. And the horrors of famine were added to the horrors of war; a day's journey might be taken ^{The Horrors of the time.} without seeing a field that was tilled. "Corn and cheese and butter were dear, for there was none in the land. Wretched men starved for hunger; some went about asking alms who were once rich men; some fled out of the land. Never was more wretchedness in a land, and never did heathen men worse than these did, for they forbore neither church nor churchyard, but took all the goods that were therein, and then burned church and all. . . . If two or three men came riding to a township, all fled from them thinking they were reavers (marauders). The bishops and clerks were ever cursing them (*i.e.* excommunicating them); but that was nought to them, for they were all accursed, and forsaken and lost." Thus the English chronicler bewails the miseries of his time, and it is with such words that the earliest English history in the English tongue, kept up through so many centuries of peril and change, at last ends.

It was a time of unchecked feudal anarchy: every man did that which was right in his own eyes—"nay", says a chronicler, "that which was wrong also". The peaceful

monks, who saw and recorded these horrors, bethought them of the days when there was no king in Israel, and of the fearful time when Jerusalem was compassed about with armies. Through all the years of war the tide of success fluctuated continually. "The king was alternately a prisoner and a conqueror, but was never able to restore the administrative machinery; the empress had her turns of good and evil fortune, but was never able to make good her title to the crown."

Matilda dwelt first at Bristol, then at Gloucester, while Earl Robert took the field against King Stephen, and was joined by Ralph, Earl of Chester, with whom the king had quarrelled. Stephen was besieging Lincoln Castle early in 1141 when the two earls attacked him. A great flood had overflowed the banks of the old Foss-dyke and the little river Witham, and the city was protected by the fordless stream. But the army of the 'disinherited' lords whom Stephen had driven from their lands to bestow them on his own men, under the bold leadership of Earl Robert, plunged into the stream and swam across. A fierce battle followed, and Stephen fought in the thickest of the fray, till outnumbered and surrounded he yielded at last to Earl Robert himself. He was imprisoned in the Castle of Bristol. On February 2 Bishop Henry of Winchester, who had in vain tried to make peace between the two parties, and who was the pope's legate as well as a great churchman high in favour with monks and clergy, now met the empress and made compact with her (March 2, 1141). On April 8 she was elected Lady of England and Normandy at Winchester, and took from the treasury the royal crown. She went on to London, where she began to oppress the citizens; but they rose against her "like a swarm of bees", and she was soon obliged to fly back to Winchester. There also she managed to disgust her supporters. Bishop Henry of Winchester took up the cause of his brother Stephen, whose wife, Matilda of Boulogne, was aided by the Londoners. Matilda of Boulogne was a heroic woman, who gathered troops, confirmed waverers, and had the patience which

the rivals so much lacked. In her Henry of Winchester saw hope for the reunion of England and the restoration of peace. He reversed all the excommunications he had pronounced against Stephen's party, and pledged himself to do all he could to restore Stephen. Having again changed sides, he was proof against all attempts of Robert or the empress to win him over; and, with his adhesion, the tide soon turned in favour of his brother. The empress was then besieged in Winchester, whence she fled on September 14, 1141. Soon after this her strongest supporter, Earl Robert of Gloucester, was taken prisoner. On November 1 he was exchanged for Stephen, and the war reopened under more equal terms. The empress soon had to seek refuge in Oxford. Stephen pursued her from Cirencester. He entered Oxford on September 26, 1142, fired the town, and besieged the empress in the strong Norman castle. For three months the siege continued, till on December 20, when the Thames was frozen

Flight of Matilda from Oxford. over and the ground thickly covered with snow, the empress was let down from the tower clad all in white, and escaped with four knights on foot to Abingdon, whence she sought safety at Wallingford and Gloucester.

For the next few years there was grievous misery, but little close fighting. Geoffrey de Mandeville, Earl of Essex, the worst of the barons, who had sold himself alternately to both sides and fought chiefly on his own account, died under the curse of the church while beleaguered a tower belonging to the monastery of Ramsey. The brave Earl Robert died too; and then the empress retired to Normandy.

For a while, from 1145, Stephen reigned without control. His brother, Henry of Winchester, stood by him, *The last years.* and together they drove Theobald, Archbishop of Canterbury, into exile. In 1147 many turbulent spirits left England to go on crusade. The Earl of Chester was reduced to submission. But Theobald returned, and he and the other bishops refused to crown Stephen's son, Eustace, as joint king and heir to

his father. Then came Henry, the empress's son, whom his uncle, David King of Scots, supported, and the war was renewed in England. At length, when Eustace died, it was agreed between Stephen and the young Henry that the king should hold the crown while he lived, and then Henry should succeed him. Good peace was promised, and the restoration of justice and good laws. The Peace of Wallingford. This was done at Wallingford on November 6, 1153. Henry for a while was Stephen's justiciar in England. But the king died on October 25, 1154, and then Henry of Anjou, the empress's son, came peaceably to the throne.

So the "nineteen winters" ended. They taught men to seek to be ruled rather than to do what was right in their own eyes, and they made people and barons weary of strife. So Henry II. was the first king since the Conquest who came to the throne in peace and without a struggle.

CHAPTER II.

THE REIGN OF HENRY II. 1154-1189.

Besides its anarchy and bloodshed, the first feature that strikes us about the reign of King Stephen is the strength of the church. This strength was due to the The Church under Stephen. weakness of all other powers in the state. There was no administration and no justice.

The rivals for the throne could not establish their power, and the barons could only fight for their independence. Thus men looked to the church for guidance. It was Henry of Winchester who first held the balance between the parties, and then gave to Stephen's side what strength it acquired. It was Theobald, Archbishop of Canterbury, who more than any other man mediated peace between Stephen and Henry, and so gave England a time of rest and then a strong ruler.

While all was confusion elsewhere, the church courts

still were in working, and there men could get justice, when they could find it nowhere else. Thus gradually many suits which belonged naturally to the state came to be tried in church courts, and when Henry II. came to the throne he found that the lay courts needed to be restored from the foundation.

Church councils, too, had chosen between the claimants to the throne, and each in turn had submitted to legate and bishops and clergy. Nor was the church's power to be seen only in politics and law. The reign of Stephen was a period of revival in the religious life.

The growth of the monasteries. During those nineteen years of strife, more monasteries were built than in any other period of the same length. The northern shires, which had lain waste since the great harrying by William the Conqueror, were now recolonized by bodies of hardy ascetics, who chose out the desolate parts and made them the homes of agriculture and industry. Twenty houses were built in Yorkshire, nineteen in Lincolnshire, and many more in the eastern and southern shires, while Stephen was king. In them the stern rule which Henry of Winchester favoured, and which the great S. Bernard had done so much to revive, was observed. The chief houses were of the Cistercian order, which had been founded by an Englishman, Stephen Harding. A new order, too, was in this reign founded in England itself by an Englishman, Gilbert of Sempringham, which admitted both sexes to separate houses, and which began the teaching and training of women. Thus, while the barons' castles were in building, there arose, too, says the chronicler, "God's castles, in which there watch the servants of the true anointed King, and where the young are exercised in war against spiritual wickedness".

The church then had spiritual as well as material powers, and the church was the strongest estate with which Henry of Anjou had to deal; but first he must turn to the most pressing needs of his people.

Henry II. was born at Le Mans on March 5, 1133. He had much of the spirit of his Angevin forefathers.

He was passionate and hasty, cunning and relentless, licentious and faithless. But still he was a wise man, and in many ways a good if stern king. He loved justice in others, though he did not always do it himself. He knew law and statecraft as few of his time knew them. He saw what the land needed, and he knew how to give it. With all his faults he was, for his day, a merciful man. And above all, he was a hard and constant worker.

Henry was crowned on December 19, 1154, when he was not yet twenty-one. From his earliest years he had learnt how to fight for himself, and to snatch at every advantage. In 1151 Louis, the King of the French, had divorced his wife Eleanor, who was the Duchess of Aquitaine, and possessor of nearly all the lands that lay between the Loire and the Pyrenees. Henry at once married her, and thus, when he obtained the English crown, held a far larger part of France than did Louis its king. In the year of his marriage his father died. Thus in 1154 Henry found himself king of the English, with an overlordship of Wales and Scotland, Duke of Normandy, Count of Anjou and of Maine and Touraine, and in the south Count of Poitou and Duke of Aquitaine, a title which, under different rights, gave sway over lands extending from the Creuse to the Adour, and from Lyons to the Bay of Biscay. England under his rule was part of a great continental empire.

Henry's father, Geoffrey, had been called Plantagenet, because he used to wear a sprig of broom (*planta genista*) in his cap, and the name has been given to his descendants, who were so long in direct line to give kings to the English.

Henry lost no time in setting about the work to which he was called. In the charter he issued at his coronation he made no mention of Stephen. He professed from the first to be the heir of Henry I., 1154-58. and to intend the restoration of the firm government that his grandfather had set up. His accession was welcomed by the people and their chroniclers as the beginning of



The Dominions
of
HENRY II.
about A.D. 1180.

Countries ruled directly by
Henry II. shewn white.

Countries vassal to
Henry II. shaded thus:.....

a new age of peace and justice. First, he gave peace by removing the causes of war. He drove out all the foreign mercenaries who under Stephen had vexed the land with their manifold cruelties. He forced all those who held crown lands, or had seized royal towns, to yield them up to him, and he made no account of the grants which Stephen, in recklessness or in fear, had lavished away. He restored the coinage to its proper weight. He set the law courts to work anew, and himself assisted at their sittings. Again sheriffs were appointed to do justice and collect dues in the counties; again justices were sent round to hear cases in the shire courts. And now at length a harsh law of the Conqueror's was removed, and by his Grand Assize Henry II. ordered that suits concerning land should be decided not by wager of battle, but by the inquest of twelve sworn freeholders who could witness to the facts.

Henry was as fortunate abroad as at home. His brother Geoffrey, who withstood him in Anjou, soon submitted, and the King of Scots did homage and yielded up the earldoms of Northumberland and Cumberland. He was able to obtain the help of men who had learnt how to govern in the school of Henry I., and of others whom Archbishop Theobald had trained to be learned clerks and men of business. Chief among these was Thomas Becket, Archdeacon of Canterbury, who was in 1154 appointed to the office of chancellor, head of the king's clerks or secretaries, a dignity reckoned second after the king in all his realms. Robert, Earl of Leicester, was given the higher office of justiciar, but soon the chancellor was found to be the king's real adviser and chief friend.

Thomas Becket was the son of a Norman merchant who had settled in London, and been port-reeve of the city. He had himself been trained in a knightly household, and also in a business office, and had studied at Paris and Bologna. He was learned in church law, and he had also a good knowledge of practical affairs. Henry soon saw his great ability, he admired his pure, unsullied life, and the two

Thomas
Becket the
Chancellor.

became friends and fellow-workers. "When business was over," writes William Fitz-Stephen, Becket's friend who stayed with him to the last hour in the cathedral at Canterbury, "they would play together like boys of an age; in hall, in church, they sat together, or together they rode out. . . . Sometimes the king rode on horseback into the hall where the chancellor sat at meat; sometimes he came bow in hand returning from hunting, or on his way to the chase. Sometimes he would drink and depart when he had seen the chancellor; sometimes jumping over the table he would sit down and eat with him. Never in Christian times were two men more of a mind or better friends." Thomas was at the king's side when he began his great legal reforms. He was sent, too, on an embassy to Paris to arrange a marriage between King Louis's daughter Margaret and Henry's eldest boy. Through this there was peace for a while between England and France, but in 1159 Henry claimed Toulouse in right of his wife, and *The Toulouse war, 1159.* in the field with 700 knights, and himself did bold deeds. During this war Henry made his barons pay a *scutage*, or tax on shields, instead of serving themselves with their retainers, thus freeing himself from the untrained feudal soldiery, who were often a danger rather than a help, and using mercenary troops instead. The struggle was not brought to any conclusion, because, when King Louis opposed him, Henry would not fight against the lord of whom he held feudally his lands in France.

On November 2, 1160, Henry married his son to the little Margaret and took possession of the Vexin, a district on the Norman border which had been named for her dowry. Louis had never intended that the wedding should take place while his daughter was still a child, and bitterly resented the trick by which he was made to lose the land so early. War broke out, and continued fitfully for many years, though the two kings, in spite of their quarrels and fightings, agreed in recognizing Alexander III. as pope, when the emperor supported another claimant who called himself Victor IV. Thus

Henry was constantly engaged in foreign complications. Before long he was to have troubles in England as well.

When Theobald, Archbishop of Canterbury, died, it seemed to the king that he could have no better successor than one who would act harmoniously with the crown in the work of church and state. Becket Archbishop, 1162. Accordingly, on May 24, 1162, Thomas Becket was elected archbishop. He was then only a deacon, though he held much church preferment. On the Saturday after Whitsunday he was ordained priest, and next day was consecrated archbishop. The festival of Trinity Sunday was instituted by the new archbishop: it has ever since been observed in England on that day, and before long spread to the church abroad. But it was soon seen that Thomas could no longer work with the king as he had done. He resigned the chancellorship and devoted himself to the work of his diocese, reclaiming the property of his see, ministering to the poor and sick, and purifying the church wherever he could. He began to work as an ecclesiastical reformer. Unfortunately the king desired to work on different lines.

It seemed to Henry that the time had come to reduce the power of the church. He soon found that he must first break the power of the archbishop.

The two strong men first came into conflict at a council at Woodstock, on July 1, 1163. The Danegeld, first levied by Ethelred the Redeless, as a bribe to keep off the Danes, had since the Norman conquest been collected by the sheriffs for the defence of the shires. Henry demanded that the whole sum collected should be paid direct into the royal treasury. Becket resisted this as an unjust exaction, and the king was forced for the time to yield. The strife then turned to the main question at issue between church and state,—the extent of the immunities of the clergy. In a council held at Westminster in October 1163 Henry claimed that all clergymen (the title included those in 'minor orders', and those who held many

The Council
at Wood-
stock, 1163.

offices which were not strictly clerical at all) when accused of crime should first appear in the king's court, then be sent for trial to the church court, and if there convicted and degraded from their orders, should be finally sentenced in the lay court. This seemed to the advocates of church privilege to be giving two punishments for a single offence; yet there were not wanting church lawyers and bishops who took the king's side. But the archbishop resisted, and the pope supported him. In January 1164, a great council met at the royal manor of Clarendon, near Salisbury. To this Henry presented what he declared to be the *customs* of his grandfather Henry I.

By these it was decreed that all clerks should answer in the king's court for civil offences, and that the church should not protect them after conviction; that trials concerning the lands and the patronage of the church should be heard in the king's court; that no one might carry an appeal out of England (*i.e.* to Rome) or leave the country without the king's leave; that none of his tenants should be excommunicated by the church courts without his permission; that bishops were to be chosen in the king's chapel and by his consent, and were to hold their lands as baronies, and attend the king's courts as the other barons did; and that serfs might not be ordained without their lord's consent. To these famous "Constitutions of Clarendon" Becket refused to consent. Nine months passed without either yielding, and then the king resolved to crush the archbishop. In a council at Northampton he caused Becket to be accused concerning many new matters not relating to church privilege. It was said that he had denied justice to John, the marshal of the treasury, and that he

Exile of Becket. owed the king a large sum of money. The barons gave sentence against him, and, with indignant protests, and appeals to the pope to do him justice, Thomas fled from the kingdom and sought refuge in France. There he stayed for six years, first at Pontigny and then—when the Cistercians were threatened with Henry's wrath if they continued to shelter him—at Sens,

in the territory of King Louis. During these years Henry used every measure to terrify and wound him; the pope, who was in great difficulties between the emperor and the northern sovereigns, alternately supported and abandoned him; and Louis alone stood his firm friend. All attempts at pacification were fruitless, till Henry made a great mistake. Following the example of the kings of the French, who to make their dynasty secure had been wont to cause their heirs to be crowned during their own lifetime, Henry had his eldest son and namesake elected king, and crowned by Roger, Archbishop of York, Becket's lifelong foe.

Now the archbishops of Canterbury had always held it their right to crown kings, and the pope supported Becket in his vigorous protests and excommunications. It seemed as if Henry II. himself would be laid under curse. And so at last he yielded. At Fréteval, on July 20, 1170, the old friends met and made peace. Henry agreed to withdraw the Constitutions, and Thomas made haste to return to Canterbury. But there was no full peace yet. For the bishops who had been Becket's foes refused to submit to his rule, or to take the oath to obey the pope's decision, which he required of them before he would absolve them from their excommunication. Those who had seized his property during his absence still held out against him. The bishops, with Roger of York at their head, crossed the sea to complain to the king, and wrung from him the hasty words, "I have nourished knaves that suffer me to be thus tricked by a low clerk". There were those who heard and were only too ready to avenge themselves and others on the archbishop. Reginald Fitz-Urse, William of Tracy, Hugh of Morville, and Richard the Breton came at once to England, and on December 29, 1170, murdered Becket in his own cathedral. He died boldly, as he had lived. The knights demanded that he should absolve the bishops and leave the kingdom. The archbishop replied that the first by church law he could not do, and the second he would not. He would die

His return
and murder,
Dec. 29, 1170.

among his own people. He went to the cathedral for vespers, and would not have the doors closed. The four knights followed, and the monks around him fled, save three only, his nearest friends. Again the knights demanded that he should do their bidding, and threatened him with death if he refused. "I am ready to die for my Lord," he answered, "that in my blood the church may obtain peace and freedom. But in God's name I command you not to hurt my people, clerk or lay." A few more sharp words and the knights struck him to the ground. As he lay he commended his soul to God, and a third wound slew him. With his death the cause for which he fought was won. Miracles were believed to be wrought at his tomb. The people reverenced him as a martyr. It was impossible even for the strong king Henry to resist the overwhelming force of the popular horror. He himself, too, felt remorse and pity. For ^{Henry's sub-} three days he would not eat or drink, and ^{mission.} kept himself apart. Then he came forth, prepared to undergo any humiliation and to make any concession that might be necessary to re-establish his own position as supreme ruler of his lands. The pope required that he should wholly abandon the Constitutions, and should make restitution to all whom he had wronged. The king complied, and received the papal absolution. Thus in May, 1172, Henry was at length free from the danger and trouble that arose from his strife with the great churchman.

The year of the quarrel with Becket had seen also many other important events. First Henry had tried to establish his power over Wales. In 1157, in 1162, and again in 1165 he had made expeditions into Wales, each ^{Henry's} ~~of~~ ^{Welsh wars.} of them unsuccessful. In the first Henry of Essex threw down the royal standard and fled, and the royal army followed in confusion. Henry's chief opponent was Rhŷs ap Gruffydd, a prince of South Wales, who was joined at times by Owen Gwynned of the North. The Welsh princes took every occasion to harass the English king, and he was utterly unable to

conquer them. Later in his reign, however, he made an alliance which kept them at peace, and Welsh soldiers served in his armies abroad.

More important and more successful was the first expedition to Ireland. For long the 'Emerald Isle' had been isolated from intercourse with England ^{The Conquest} of Ireland. stood foremost among Christian nations, and her missionaries had worked for the conversion of Britain and Caledonia, Germany and Gaul. But the fierce attacks of the Norsemen had wrought terrible havoc in Ireland. From the ninth century there were settlements of the Ostmen (as they were called) at Limerick, Cork, Waterford, and Dublin, and from these stations aid was given to the Danish invaders of England. But the Northmen never formed one nation with the Irish: they remained entirely shut off from the Celtic kingdoms of Ulster, Connaught, Leinster, and Munster, which still went on in their primitive and patriarchal society under the nominal rule of one *Ard-Righ*, or chief monarch, who claimed to be descended from an early hero-king. The northern settlements thus did active harm to Ireland; they destroyed much of the older civilization, and crushed out the hope of a strong national life. With England the Irish Ostmen kept some slight connection, and they even at times made some form of submission. Edgar coined money in Dublin, and the Irish coast towns carried on a brisk trade with the English seaports of the west. From England the Irish chieftains bought slaves, who continued to be kidnapped in Bristol in spite of all that William the Conqueror and Lanfranc, and the good bishop Wulfstan of Worcester, could do to check the practice.

The time had now come to bring England and Ireland more closely together. William the Conqueror had intended an attack upon that country, and in church matters at least some subjection to England had been recognized by the Irish chieftains and by the Irish bishops. William and Lanfranc had been to some extent known and obeyed in Ireland. Henry was determined to make this sub-

jection real. Soon after his accession he obtained from Pope Adrian IV. (the only Englishman who has ever been Bishop of Rome) a bull granting him, by a power which the popes claimed over all islands, to have Ireland for himself, "in order to subject its people to the rule of law, and to root out therefrom the weeds of vice". It was not till 1170 that Henry took advantage of this grant. In 1166 Dermot, King of Leinster, came to him for aid against other Irish princes, who had expelled him from his realm. Henry allowed Richard of Clare, Earl of Striguil (or Pembroke), to assist him. First there went Maurice Fitz-Gerald and Robert Fitz-Stephen, who established themselves at Wexford. Then came Earl Richard, who took Waterford. Thence they marched to Dublin and took it. From all these towns they had driven the Norwegian Ostmen who ruled there. The attacks of the Northmen and the Irish failed to dislodge the invaders; and the Anglo-Norman knights soon held sway over Meath and South Munster as well as the seaports. Henry himself crossed to Ireland after the murder of Becket, and kept Christmas 1171 at Dublin, when all the Irish kings save those of Ulster submitted to him.

The Irish bishops, who had long warned their people against the slave-trade with Bristol, by which many English folk were brought into captivity in Ireland, and *The English* who regarded the invasion as a punishment settlement. for the people's sins, accepted Henry, and in a Synod at Cashel, at which he was present, agreed to many wise measures of reform, and to bring their church into conformity with the English. Henry returned to England in April, 1172. Earl Richard now ruled in Ireland, and Hugh de Lacy was the king's justiciar. In 1185 the king sent over his youngest son John, whom he wished to make lord of Ireland, but the prince's rash folly prevented the plan from being successful. At the end of Henry's reign Ulster had been conquered, and the English pale (or boundary) included Meath, Leinster, and part of Munster. English nobles settled and English law was established, but the immigrants soon became as

wild as the natives, and for centuries there was nothing but confusion and continual war.

The conquest of Ireland is, however, interesting, as showing the energy and daring of Henry and his men, and the width of their schemes. English and Norman bishops went to Ireland, and many adventurous spirits sought there for excitement and experience in war. The earlier conquerors were mostly men of South Wales, barons who had settled in Pembrokeshire and Glamorgan since the Norman conquest but could not drive the Welsh from their inaccessible mountains. Among them was a famous writer, ^{Ireland in the 12th century.} Gerald of Barri, who wrote two books about Ireland. He spent a long life in asserting the independence of the Welsh church from the see of Canterbury, and was three times chosen Bishop of S. David's; but the English kings would not allow him to take a post where he might have been dangerous. In his 'Conquest' and 'Topography' of Ireland he draws an extraordinary picture of the savage races who then inhabited the land. They were fierce and utterly uncivilized, "living only on the produce of their beasts, and living like beasts themselves". They had no agriculture and no manufactures, but excelled in poetry and music; they were brave soldiers, but untrained, and utterly merciless. It seemed to him that the North Irish greatly differed from the men of the South. The former were warlike and proud, the latter subtle and treacherous. But never, he thought, would either be conquered till all on this side Shannon was strongly fortified with castles, and the English army was light armed like the Irish predatory bands.

So Henry dealt with Ireland and Wales. He had also to fight with the Scots. In 1173 William the Lion, King of Scotland, agreed with the English king's enemies, and in the spring of 1174 he invaded England with a savage army, which committed barbarous outrages in the northern shires. Henry was himself hardset in France and could scarce hold his own. Again the officials and the folk of the north

<sup>The capture
of William
the Lion,
King of Scots,
1174.</sup>

stood firm against attack. The king's justiciar, Ranulf of Glanville, and the sheriffs and bailiffs of the north, called together the *fyrd* and met the Scots at Alnwick. There by a happy stratagem they took William prisoner. Henry did not lose the opportunity of bringing Scotland under his overlordship. Already, early in his reign, he had taken back Northumberland and Cumberland, which the Scots kings had held as fiefs from the English crown. Now he made Scotland itself a fief. On August 10, 1175, at York, William the Lion, his brother Earl David, and all his barons and free tenants did homage to Henry II., and the bishops swore obedience to the English church. Attempts were made, by the pope's aid, to shake off this last subjection, but otherwise Henry kept a firm hold over Scotland till his own death.

Meanwhile the great work of Henry's reign had been going steadily on. He had begun his reforms in the law while Becket was still his chancellor. He did not interrupt them even amid the danger and stress of his long quarrel with the church.

In 1166 he issued the great act by which he set the law again in thorough working order, and provided for its just

^{The Assize of} _{Clarendon, 1166.} execution with many excellent reforms. By this "Assize of Clarendon" he restored the old jury of presentment (much the same as our modern grand jury), by which criminals were to be accused to the king's justices, who were ordered to go from shire to shire at stated times to hear all important cases in the county courts. Circuits were now settled, according to which the judges moved, so that all parts, except the great palatine earldoms of Durham and Chester, which had their own judges, should be visited. The barons who had courts of their own were not allowed to judge uncontrolled by the king's justices, and the sheriffs were ordered to see that everywhere the "frank-pledge" (the institution of mutual responsibility for keeping the peace) was maintained. The jury too, as in the Grand Assize, was ordered to be used for the trial of many matters which before had been settled by ordeal or wager.

of battle. This Assize was the most important law of the reign, for it organized a system of jurisdiction for the whole land such as had never been known before, and at the same time provided for its enforcement through officials who were all immediately answerable to the king. The effect of the new rule was certainly to make justice more even and more strict, but at the same time it considerably increased the power of the sheriffs and their opportunities for raising large sums from the people. Complaints rose on every side of the severity, ^{The Inquest of Sheriffs.} and of the peculation, of the king's officers, and in 1170 he held an *Inquest of Sheriffs*, by which, after removing all the sheriffs from office, he directed that special judges should inquire into all charges, by the oath of those who knew the facts. The sheriffs appear to have been acquitted, but they were not restored to their posts. Instead of employing barons, who had great power in the districts where they lived, Henry now appointed officers of his own, who both as itinerant justices and as financial officers had the fullest opportunities of knowing the law and of understanding the king's will. By such measures as these the king was prepared to resist the great storm which fell upon him not long after Becket's murder.

As soon as the barons had come to see that these new laws and this firm system of government, responsible everywhere to the crown, meant that their power and the independence they so cherished were being rapidly taken from them, they concerted measures for a bold stand against the growing supremacy of the king. Henry was far from popular at the moment. Men never forgot the murder of S. Thomas, whom the ^{The rebellion of 1173-1174.} Londoners especially reverenced as a townsman of their own, whom the pope had canonized, and whom the people everywhere regarded as a champion of liberty and religion. They felt, too, the iron grip of the king everywhere. He was constantly travelling among them, exacting his dues and enduring no opposition or trickery, stern in his enforcement of the harsh forest laws, bitter and passionate in his anger. The church thought him a grasping tyrant,

the people felt as yet rather the harshness than the justice of his measures, and the barons were determined to shake off the yoke that he had laid upon their necks. And in all this his worst foes were those of his own household. His wife, Eleanor of Aquitaine, the great princess whom he had married but ill-treated, urged her sons to rebel. Henry, the eldest, whose coronation had cost his father so much, found himself a king only in name. Richard, the second, chafed under his father's rule, and found no work to satisfy his ambition. Geoffrey, the third, had been married to the heiress of Brittany, but only to find that the king used the marriage merely to bring his wife's land under his own sway. And all three resented the provision which Henry would make for his youngest and best beloved, John.

Early in 1173 the plot was ripe. The three sons fled to the French king. Their mother, who sought to follow them in man's dress, was stopped and cast into prison. Louis VII. gladly assisted the rebels. With them joined the King of Scots, the Counts of Flanders, Boulogne, and Blois, and many other great lords who owed a grudge to the English king or the Angevin house. Revolt broke out in April in Normandy, Anjou, Aquitaine, and Brittany—and before long in England also. Henry showed all the energy and courage of his masterful nature. He fought in turn the French king and the foreign rebels, and conquered everywhere. Still the invaders pressed on to Rouen, when Henry was called to England by the invasion of the Scots. The English barons meanwhile had broken out in insurrection. The Earl of Leicester and his bold wife were ravaging East Anglia till the justiciar Richard de Lucy and the constable Humfrey de Bohun met them, and a sharp fight took place on October 16, 1173, at Fornham, near Bury S. Edmunds, in which the rebels were routed. But the revolt was not crushed. Hugh Bigot, Earl of Norfolk, the Earl Ferrers, and Roger of Mowbray still fought, and the Earl of Leicester's followers held out. Gradually the king's men conquered. Henry crossed to England and did penance, July 12,

1174, at the shrine of S. Thomas the martyr; and at that very hour, men said, the King of Scots was captured at Alnwick. From that day all went well. Geoffrey, the king's natural son, had reconquered Lincolnshire, and the sheriffs and justices were boldly fighting in the midlands. By August the king was able to return to Normandy and drive the French forces from the siege of Rouen. Louis was ready to make peace, and Henry agreed to make some provision for his elder sons. He showed no personal bitterness. He spared his rebellious vassals, but took possession of their castles. He did not want their estates, he wanted only to deprive them of the power to defy the royal authority. In this he succeeded, for the people learned to look for safety to a strong king who could hold the barons in awe. The war of 1173–1174 was really the last fight that the barons made clearly and definitely for their feudal independence. It was a war of principle and of politics rather than a personal strife. The people on the whole, in spite of the discontent by which the barons had looked to profit, stood by the crown. All the English and Norman bishops (except the great Hugh de Puiset, Bishop of Durham, and the treacherous Arnulf of Lisieux, who hoped to profit by the success of the rebellion but did not declare themselves in its favour) adhered to the king. And Henry with his indomitable will and extraordinary energy, surrounded by a ring of able ministers and barons who had risen to power as officers of Henry I., was more than a match for his ill-assorted opponents. The danger was great for a time, but the coalition had no real leader. The attack was directed against the strong and systematized administration, and the government conquered.

The result of this war enabled the king to press his reforms still more closely upon the nation. In 1176 he issued the *Assize of Northampton*, a more stringent re-enactment of the *Assize of Clarendon*, by which the punishments for criminals, and accused persons for whose character no surety could be found,

The Assizes.

were rendered more severe. He also instituted Assizes, at which questions of ecclesiastical patronage, dispossession, and disputed succession were to be decided by a jury of neighbours (*Assizes of Darrein Presentment, Novel Disseisin, Mort d'Ancester*). In the same year he took into his own hands all the castles in England and Normandy, and endeavoured to extend the policy to his other possessions. The strongholds of the chief rebels were dismantled, but the estates were restored to their owners in spite of their treason. Henry placed his own castellans in the castles, and gave charge to the itinerant justices to inspect them in their circuits. In 1178 he appointed a bench of five judges to hear appeals, with resort in the last case to himself in full council. In 1179 his faithful justiciar, Richard de Lucy, who had served him for twenty-five years, retired to a monastery, and the king altered the circuits, and appointed Ranulf of Glanville to the vacant post. In 1181 he gave the chancellorship to his natural son Geoffrey, who had so faithfully served him in the war, and also caused him to be chosen Bishop of Lincoln. In the same year the king issued the *Assize of Arms*, by which he gave explicit directions for the arming of all the freeholders, thus reviving and strengthening the national militia which had done such good service in his reign. Townfolk as well as yeomen he compelled to provide themselves with arms, and the liability of each man was to be estimated by juries.

In 1183 he crushed another rebellion of his faithless sons. The younger Henry, again jealous of his brothers, *The rebellion of 1183.* made open war upon Richard and Geoffrey. The old king feared that the revolt would spread, and imprisoned the chief barons who had previously revolted. Then he endeavoured to mediate between his sons, who were constantly taking new positions of hostility to each other and to him. The trouble ended for the time with the death of the young Henry in June. After this the king gave no such great power to his sons. He was able again to turn to England, and in 1184 he issued a new forest law, the *Assize of Woodstock*, which

greatly increased the burden he had already laid upon the freeholders. By this act every free tenant who lived in a forest shire was compelled to attend the forest courts as well as those of the county. The forest jurisdiction was organized on a system parallel to that of the ordinary local courts, and the forest law was constantly made more severe, as the forest area was continually encroaching upon the barons' lands. The king was determined that there at least he would act entirely without control, and it is in his forest customs alone that Henry appears in the light of an arbitrary despot.♦

He was soon recalled to his foreign dominions. A new danger was arising. His sons still continued to quarrel — John now entering into the struggles. But behind them was a more formidable opponent, Philip Augustus, the astute and warlike King of the French, who had succeeded his feeble father, Louis VII., in 1180. In his youth Henry had wisely advised him and aided him when he seemed near to destruction from his mighty vassals, but Philip had one fixed aim,—to make his kingly power supreme over all the lands between the Channel and the Pyrenees, and no scruples stood in his way. He aided, in open or in secret, every insurrection against Henry, and himself constantly levied avowed or underhand war on him. In 1186, Geoffrey of Brittany rebelled, but soon after he died; and peace was for a time patched up by the news of the capture of Jerusalem by the infidels, October 3, 1188. Letters imploring aid were sent by the popes and by the Military Orders of the Temple and Hospital; and the kings were shamed into a peace by the appeal of their fellow-Christians in the East. Both Henry and Philip took the Cross, and Richard with more genuine intention vowed to rescue the Holy City from Saladin. A great council held at Geddington decreed that all men should give a tenth of their goods for the Crusade. This was the first time that personal property (movables) was taxed.

Baldwin, Archbishop of Canterbury, made a special

visit to Wales, preaching in the most remote valleys the obligation of the Holy War, and at the same time exercising his authority as metropolitan over the Welsh church.

Before the expedition could start, war broke out again. Richard quarrelled with the Count of Toulouse, and Philip invaded the territory of Henry's vassals. Henry in vain tried to make peace. Before long both combatants turned on him. He had long kept Philip's sister Alice, who had been pledged in marriage to Richard, and he would not allow the marriage to be performed. Philip saw that his enemy was growing weaker. The barons on his foreign lands were gradually deserting him, and his own health was breaking down. In January, 1189, Philip and Richard invaded his territory and carried all before them. Henry still held out, and obstinately refused the terms they offered. Gradually the foes closed round him. Revolts broke out on every side.

The king was surprised in Le Mans, the city of his birth, where he had often dwelt, and with great difficulty escaped from the burning town. He fled towards Normandy, but turned back again to Angers and then to Chinon. At last he agreed to treat. He was deserted by all his barons—even John, the youngest and best loved of his children, went over to his foes—only his natural son, Geoffrey the chancellor, stood by him. On July 4, 1189, he met Philip and Richard on the plain of Colombières, near Tours. He was utterly broken down. He agreed to recognize Richard as his heir and to give him his promised bride, to pay a large sum to Philip, and to leave Le Mans and Tours as pledges in their hands. He could scarce sit upon his horse, yet his fierce spirit refused to show any sign of weakness before those who had wronged and vanquished him. He was carried back to Chinon when he had seen the list of rebels whom he had promised to forgive, and broken-hearted at his favourite son's

The death of Henry II. Only Geoffrey the chancellor stood by him and heard his bitter moan, "Shame, shame on a conquered

king". On July 6, 1189, he died. He was buried at Fontevrault, where his tomb still stands in the cloister of the nunnery that he founded.

It was a pitiful end to the life of a great king. Even his wise acts had raised up bitter enemies, who fell on him in his weakness; and his own bad life had robbed him of many who might have been his friends. He depended always on his own unaided powers, and when those failed he could but fall and die. Yet men knew even then that they had lost the greatest of European monarchs. Foreigner though he was, and short the time he had spent on English soil, he had done more for England than any of her kings had ever done before. He had built up a firm central administration, through which order and justice—tardy it might be and rough, but still far beyond what the land had previously enjoyed—were spread over the most distant shires. He had built up a *Curia* (king's court), in which the great officers of state and the barons whom he trusted advised him. He had made firm and definite the system of the exchequer, the great financial centre where his clerks received the dues from the sheriffs, and managed all the business which sprang from the measures which so greatly increased the king's revenue and the work of his financial agents. In all this, as a lawgiver, a financier, a diplomatist, a statesman, he was assisted by trained men, some lay, but mostly clerics, whom he had chosen and tested, and through whom the administration he had so skilfully designed worked smoothly and sharply as he willed. In spite of his vast possessions, and the constant call of foreign war and rebellion, he was known in England as few kings had been before his day. He travelled everywhere. He was at S. David's, at Canterbury, at Winchester, in the North, and on the Southern coast, and those who had to seek him for business toiled after him painfully, and often in vain. Feared though he was, yet men bold like himself, whatever their rank, came to trust him and know that they could find justice at his hands. Round him he

His work.

His energy.

gathered able men, wise clerks, lawyers, scholars, statesmen, whose fame spread over Europe.

The influence of such a king was felt far beyond his own court. The monasteries again began to take up the work of scholars, and to revive the art of historical writing which had suffered under the anarchy of Stephen. There grew up, too, in some of the towns, great schools like those abroad, and Oxford began to rival Paris and Bologna. Thither even under Stephen came great teachers like Robert Pullan and Vacarius, and Gerald of Barri found there "the most famous and learned of English clerks". He took thither his book on the topography of Ireland, and read it for three days before different audiences. "On the first day he received and entertained at his lodgings all the poor of the town; on the next day all the doctors of the different faculties, and such of their pupils as were of fame and note; on the third day the rest of the scholars, all the knights, townsmen, and many burgesses." Thus through the patronage of the king, and the influence of his international relations on the church and the scholars of his day, there was growing up in England a real interest in literature.

But Henry's courtiers, scholars though many of them were, were first of all men of practical ability, and men who would work hard in the task of ruling a great empire.

His justices were men who could shine in many fields. They were historians, such as Roger of Hoveden and Richard Fitz-Neal, diplomatists, such as John of Oxford, as well as great legists, like Ranulf of Glanville; while Gerald of Barri, of whom we have spoken above, and Walter Map, Archdeacon of Oxford, were men who could have made their mark in literature in any age. Besides these there were many great scholars, such as John of Salisbury, separated for a time from the king by the Becket quarrel, but afterwards entering again into his friendship. John of Salisbury, who became Bishop of Chartres, was the most learned and able writer of the time; but the great English chroniclers, Ralph of Dissay, Gervase of Canterbury, William of Newburgh, and others,

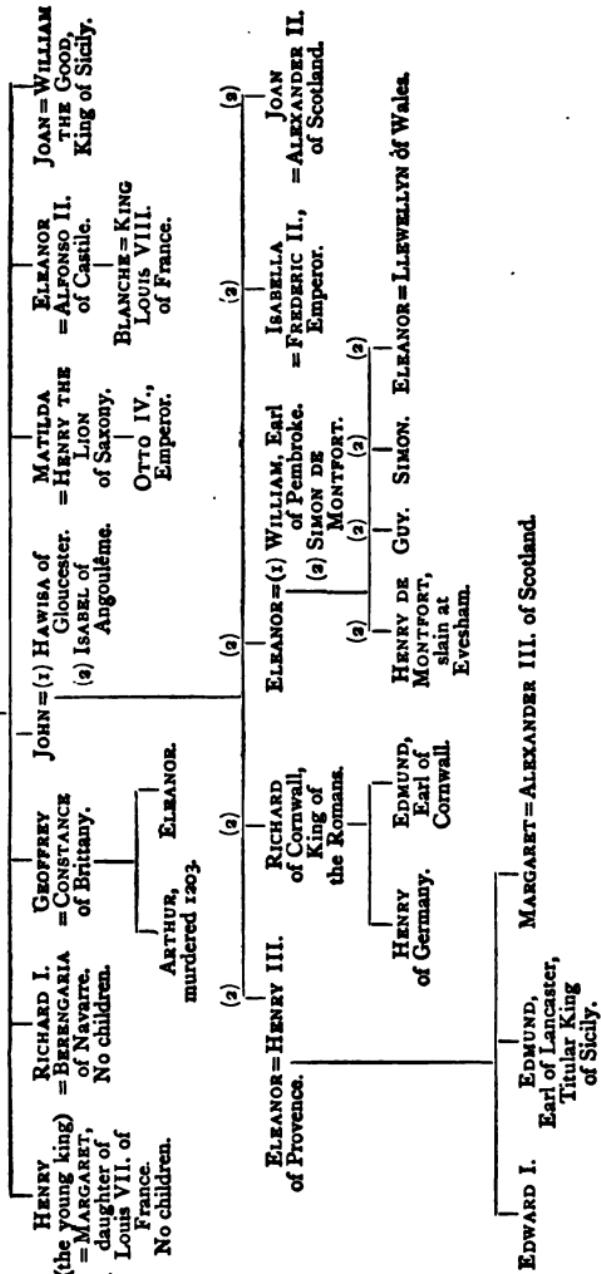
were also men who had wide knowledge and real literary power. The court of Henry II. was in fact a learned court, and the king was always surrounded by men of power and reputation.

It is no wonder, then, that the great king was renowned throughout Europe. His continental position brought him into relation with the great powers, and he was soon recognized as "the flower of the ^{His fame throughout Europe.} princes of the world". With the great

Emperor Frederick I. he was constantly negotiating, and a marriage was planned for Richard with one of his daughters. He was also brought into close connection with German affairs by the marriage of his daughter Matilda with Henry the Lion, Duke of Saxony, and heir of the enormous possessions of the Welfs. When his son-in-law was driven from Germany he took refuge in England, and at last, by Henry's mediation, was restored to some of his lands. With all the Spanish kingdoms Henry was at one time or other connected. Aragon aided him in his Toulouse war, his daughter Eleanor married a Castilian king, and the Kings of Navarre and Castile submitted their disputes to his arbitration. The pope listened to his words with respect, and did his utmost to keep in his good graces. The Italian cities and the princes who held the passes of the Alps were in league with him. The Norman kingdom of Sicily was his ally. From its court he took his clever financier Thomas Brown, to whom he gave a special seat in his Exchequer, and Englishmen also held office in Sicily. William the Good, the Sicilian king, married Henry's daughter Johanna, and when he died left him the Sicilian crown. The Scandinavian monarchs sought his alliance, and the little counts of the French borders gladly owned his sway. Last and greatest honour of all, in 1185, Heraclios, the Patriarch of Jerusalem, with the Master of the Hospital, brought him the keys of the Holy City, of the Tower of David, and of the Holy Sepulchre. He alone of European monarchs seemed great enough to revive the Crusading kingdom and stem the torrent of Barbarian

THE FAMILY OF HENRY II.

HENRY II. = ELEANOR OF AQUITAINE.



attack. It was a great moment, for the crown of Jerusalem seemed to the men of those days almost an unearthly gift. Henry refused it. He thought, it may be, quite as much of his people as himself. But to the chroniclers of the time it seemed as if he had 'made the great refusal', and his misfortunes closed around him from that hour. After four years of strife and disaster he passed away, leaving behind him a name which will ever stand high among the makers of English greatness.

CHAPTER III.

THE REIGN OF RICHARD I., 1189-1199.

Richard I. was in many ways unlike his father. He was more fickle, more chivalrous, impetuous, warm-hearted. He was a man of Poitou rather than an Angevin. He had the hot, hasty ^{Richard I.'s} ~~character.~~ passions of his fathers, but he had also the poetic sentimental tastes of the southern lands. He would sin in hot blood and repent with tears; he was fickle and impulsive rather than treacherous, and never would he harden his heart and turn his face to the wall like the stern old king whom he had hurried to his grave. It was with a burst of sorrow that he met his father's body; it was with bitter tears that again and again he confessed his sins, and vowed to give up his old bad life. He was generous and forgiving, and he was strong and bold beyond the strongest of his time. Besides this he was not deficient in statesmanship. If he did not plan like his father, he knew at least how to let his father's system work. But his most conspicuous quality was his military genius. He was, for the times, a great general and a great engineer. And he could plan too as well as fight.

Richard I. was born at Oxford in 1157. Thus he was a man of thirty-two when he succeeded to the vast territories of his father and his mother. He had had some

training in government. Since 1171 he had been nominally Duke of Aquitaine, and his father had in later years allowed him more independence than he had given to his other sons. He came to the throne with his mind *His peaceful accession.* full of the Crusade. It appealed to him in its romantic, generous aspect, and seemed to offer also a cure for the remorse which overwhelmed him for his cruel treatment of his father. He gave himself up at once to planning the expedition, and to providing for the safety of England during his absence. All his lands at once owned him as lord; there was no rebellion, for all men seemed to think only of the danger of the Holy Land. He could make what terms he pleased with his vassals. Not want of power, but want of money was the difficulty he had to face. At his first council he therefore sold all *The settle- ment before the Crusade.* that he could. To the Scottish king he gave back for money the rights of homage that Henry II. had exacted in 1174. To three of the bishops he sold sherifdoms: chief among them was the old Hugh de Puiset, the great Bishop of Durham, who by buying both the earldom and the sheriffdom of Northumberland became all-powerful in the northern shires. He was thus supreme, under the king, in all civil affairs over the district from the Tees to the Tweed. The strength of such a man as Hugh de Puiset might easily be a danger to the crown itself. He was himself descended from William the Conqueror. He had now for thirty-six years held the great bishopric and palatine earldom of Durham, which stood as a broad borderland between the English and Scots. He had steered carefully between the rival kings. In 1174 he had seemed to be leaning towards William the Lion, but Henry II. had not found it necessary to punish him. He had retained his practical independence throughout the rest of the reign, and the discretion which had kept him clear of all share in the Becket quarrel was not likely to desert him now. But he was a formidable rival to the new justiciar.

Richard was not content with recognizing the power of the Bishop of Durham. Remorseful perhaps for his

refusal, while his father still lived, to allow any provision to be made for his brother John, or hoping to buy his gratitude by the greatness of his generosity, he gave him vast possessions in England and abroad, and placed them outside the control of the ordinary law. He filled up the vacant bishoprics, and promised York to his half-brother Geoffrey, but forbade him to land in England for three years. He changed all the sheriffs, and at the head of the government he placed a man of his own, William Longchamp, whom he had made Bishop of Ely.

Then he prepared to depart. He thought he had taken with him the most dangerous spirits, and had bribed to quietness those whom he left behind. He had left the administration to new men, but they at least understood its working, and had paid too highly for their posts to be willing to risk their loss. Yet he had really left behind sufficient causes of danger to upset a government more strongly based. His brothers had each a grievance: John, that he was not named his heir; Geoffrey, that he was not trusted to return to England. And Longchamp, though an honest, loyal servant, was an upstart whom the barons despised, and who had all the arrogance and rashness of one who has rapidly made his own fortune. Richard did not leave England entirely at peace. The first months of his reign were marked by a fierce attack on the Jews, who were the great usurers of the time, and whom the kings protected because they used them as bankers, coiners, tax-collectors, and money-lenders. Henry II. had granted special privileges to the Jews; they dwelt apart in quarters of their own; but the popular hatred was in no way quenched by their isolation, and barons and people took every opportunity of washing out their debts in the blood of their creditors. The occasion of a Crusade naturally aroused fanaticism; and the Jews were never remarkable for meekness. Massacres at several of the towns marked the beginning of 1190, and at York the Jews in despair leapt with their wives and children into the flames of the burning castle, rather than

The government of Longchamp.

The Jews.

fall alive into the hands of their persecutors. The criminals were severely punished, but the lot of the Jews became worse from that day till their expulsion by Edward I.

Richard sailed in April, 1190, from Dartmouth. He did not return till 1194. Longchamp had a difficult part to play. He saw at once the danger of the great power that had been placed in the hands of men who bore no great love to the absent king. He did what he could to confine the bishops to their ecclesiastical functions, but Hugh of Durham, though he submitted for a while, was in the end too strong for him; and John never ceased to plot against the throne. The privileges granted to both, and to their friends, rendered them practically independent of the royal power; and only in the east and south-east could Longchamp rule unchecked.

His first act was to punish the rioters at York, and his next to overawe the Bishop of Durham. He was now papal legate, and so claimed to rule in church as well as state. But his arrogance, his train of a thousand horse-Troubles in men, his rash treatment of the barons, soon England. raised a storm against him. In February, 1191, Queen Eleanor, who might have preserved peace, left England to join the king in Sicily. In the same month John returned. A few months afterwards Geoffrey, now consecrated to York, landed at Dover. Longchamp rashly had him arrested. Church and barons alike resented the act. Then Walter of Coutances, Archbishop of Rouen, produced a commission from the king giving him authority as justiciar. John won over the Londoners by recognizing their liberties, and Longchamp fell almost without a struggle. John was recognized as regent, and London now obtained recognition as a *communa*, the summit of municipal liberties, such as some French cities already enjoyed. By the formal act of the regent and barons, privileges which, it may be, had already been practically enjoyed, were now fully secured. The chroniclers regarded the growth of the great city with alarm. It is "a swelling of the people, the king's fear, the priesthood's terror", said one.

The dismissal of Longchamp was really a constitutional

revolution. While it showed the claim of the barons to control the king's ministers, it proved also that they had now learnt that the central authority might be used for their own ends to better effect than if it were simply overthrown, as was designed in 1173. It was a precedent which was to be followed later by the barons who compelled John to sign the Great Charter, by those who set up the oligarchy of 1258, and those who slew Piers Gaveston and William de la Pole.

For the next two years the well-meaning archbishop, Walter of Coutances, tried to keep down the intriguing barons and the treacherous John. But at length it appeared as if all was in vain. Richard it was known had left Palestine, but had been lost to view on the way home; it was now reported that he was in prison in Austria. John at once claimed the crown, saying that his brother was dead. Only Queen Eleanor and Walter of Coutances kept him at bay.

We may now turn back to follow the fortunes of the king. Richard embarked at Marseilles on August 7, 1190, and reached Messina on September 23. The winter was spent in quarrels with his partner in the Crusade, the French king, Philip, and in attempts to secure the dowry of his sister, the widowed Queen Johanna of Sicily. Finally Philip agreed to release Richard from marrying his sister, Alice, to whom he had been so long pledged, and Queen Eleanor arrived bringing with her Richard in Sicily. Berengaria, daughter of Sancho VI., King of

Navarre, whom Richard desired to espouse. The English then sailed for Cyprus, and on April 10 Richard married Berengaria at Limasol. He deposed the tyrant Isaac Komnenos of Cyprus for ill-treating shipwrecked English sailors, and established a government of his own. Then he sailed for Palestine, and landed at Acre on June 8. Philip of France was there before him. Both kings fell ill, but at length were able to capture the town. Philip at once returned to France, but Richard pressed on to deliver the Holy Land from the infidels. He began negotiations with the great Sultan Saladin for the cession

of Jerusalem, but the Saracens were not yet cowed and the conferences were of no avail. Then he turned to barbarities which disgraced his cause, slaying hostages as ^{Richard in Palestine.} Saladin slew his. On August 20 he began his march southward along the coast, scattering the enemy as he went, but opposed and harassed at every step. On August 30 he arrived at Cæsarea. Thence he went to Joppa, fighting and winning a great battle at Arsouf on the way, and after long delay finally reached Ramleh. At the end of the year he arrived within thirteen miles of Jerusalem. There the army stayed, beset on all sides by Saladin, and suffering terribly from lack of supplies and from the intense cold. In the middle of January they began a retreat; they little knew that Jerusalem could then easily have been stormed. Richard next turned to rebuild the great Crusading fortress of Ascalon, working with his own hand, giving lavishly of his own money, and encouraging all by his words and his example. But he could give no unity to the distracted counsels of the Crusaders. Guy of Lusignan, and Conrad of Montferrat, who both claimed the crown of Jerusalem, fought against each other till the latter was assassinated, April 27, 1192. Saladin again dared the invaders to battle. Richard went about capturing fortresses and doing deeds of extraordinary prowess, but got no nearer to his goal. In the summer the army again advanced on Jerusalem, but went no farther than before. It is said that in the pursuit after a chance fray, Richard saw the Holy City from far off. But deserted by his allies, he was compelled to return, and sick at heart he at last made ^{His reputa-} a truce with Saladin, and prepared to return ^{tion.} home. Richard's exploits in Syria were not forgotten. His heroism at the relief of Joppa, where he drove his ship on shore and led the attack upon the masses of the enemy, his personal combats, his utter fearlessness, his strength, and the chivalrous deeds that won the affection even of the Muslim foe, made the name of the Lion-Heart long remembered in the land he had tried to rescue from the infidel.

His return was a series of romantic adventures and misfortunes. He was shipwrecked, separated from his companions, and compelled to make his way across Germany in disguise. Then he was seized by Leopold, Duke of Austria, whose enmity he had incurred during the Crusade, as he passed through Vienna in December, 1192. In the following March he was given up to the Emperor Henry VI., and for more than a year he lay in prison.

When Walter of Coutances heard of the king's capture he sent two envoys to negotiate for his release. An immense ransom was demanded, 150,000 marks (£100,000), more than twice as large a sum as the revenue in the last year of Henry II. But the justiciar made clever distribution of the demand, and the people nobly answered to the call. Every man, clerk or lay, gave a fourth of his income and a fourth of the value of his movables. A heavy scutage was exacted from the knights, and the wool of the Cistercians and the Gilbertines and many of the precious vessels of the churches were seized. Richard was now allowed considerable freedom. He called his mother and the justiciar to him, and so Hubert Walter, Bishop of Salisbury, took the rule of the land. He had been trained under Henry II., and was a loyal man and a great administrator.

Richard, with his wise mother beside him, soon made terms with the emperor. He received from him the kingdom of Arles, a possession which the emperors had always great difficulty in obtaining, and which was but a barren honour to the English king. But before he released him the emperor made him own himself his 'man', and thus bring England, so long counted as outside the empire, under the overlordship of the German Cæsar. He was set free on February 4, 1194. The news that he was at liberty made John and Philip tremble. They had tried by every means in their power to induce the emperor to keep him in prison, and now they feared the vengeance that their baseness deserved.

The English people had bravely made up the ransom,

and they welcomed Richard as a national hero. He landed on the 13th of March, and at once in a great council of barons declared the lands of John to England. His last visit and his men forfeit for his treason—and then levied a new tax on all plough land (carucage), sold offices, and fined those who had withheld him, so as to gather an army to meet Philip in the field. He stayed only two months in England, but left the land at peace. He was generous and forgiving, and took again into favour those who, like his brother Geoffrey, had broken their oaths to maintain the peace by absence or by submission to the royal officers. He left England on May 12, and never returned.

Hubert Walter, now Archbishop of Canterbury as well as justiciar and the pope's legate, ruled well if sternly till the king's death. The justices in 1194 received special instruction to make exact inquiry into all the dues of the crown, and the constitution of the grand-jury (or jury of The government of Hubert Walter. presentment) was defined. The sheriffs were forbidden to be justices in their own counties, and new officials, called coroners, to be elected in the county court, were appointed to limit their judicial power. In 1195 all men above the age of fifteen were required to take oath not to be thieves or robbers or receivers of such, and knights were assigned to keep the peace. In the same year there was a riot in London. The new 'commune' or corporation, which was the representative of the great merchants in their guild, had pressed hardly on the poorer citizens, who worked at the handicrafts and had no share in the rule of the great city. One of the aldermen, William Fitz-Osbert—"William with the long beard" men called him—an old Crusader and a friend of the poor, took up their cause, and demanded that the taxes should be assessed proportionately, not paid 'by poll'. A tumult arose, and the king's justiciar had to interfere. William's followers took up arms, but he was seized and executed. The people called him a martyr. In 1198 the king demanded the service of his barons for war in Normandy, but

S. Hugh, Bishop of Lincoln, a holy man whom Henry II. had loved and promoted, declared that his lands owed no service outside England, and his opposition caused the withdrawal of the demand. This, like Becket's stand at Woodstock in 1163, was an important step in the assertion of the barons' and church's right to refuse the royal demands for money. In the same year a tax of five shillings was levied on every hundred acres of land, and to assess it justly a new inquiry, like that of Domesday, was made, to obtain an exact list of all the landholding classes. Hubert Walter now resigned his office of justiciar, and Geoffrey Fitz-Peter succeeded him. He was stern in enforcing the demands for money which the king still continued to make.

Richard, when he crossed to Normandy in 1194, found little difficulty in bringing John to his knees, or after a few battles and sieges in making Philip agree to a truce. His generosity made him forgive when others would have punished. But it was impossible to have a final peace with France. Philip would not be satisfied till he had made himself the true sovereign of his land, nor Richard till he was secure from French attacks. In 1197 Richard obtained the alliance of the counts of Flanders and Champagne and of the Bretons, who recognized his nephew Arthur, Geoffrey's son, as their duke. In the same year he planned and built his great castle, Château Gaillard, on a bend of the Seine above Rouen, to defend his capital. It was the badge of Richard's sovereignty of the north. "I would take it if its walls were of iron", said Philip. "I would hold it", replied Richard, "were its walls of butter." The war with France ended in a truce, and Richard turned to quell a revolt among the Poitevins. While he was besieging the Castle of Chaluz, where he heard that great treasure-trove was being kept from him as lord, he was struck by an arrow from the walls. The castle was taken, but Richard's wound proved mortal. He called before him the man whose arrow had pierced his breast, and said, "What harm have I done

Richard's
defence of
Normandy.

His death.

you that you should kill me?" "You slew my father and my two brothers with your own hands," was the answer, "and me too you would have killed. Revenge yourself as you will, for I will bear all torments since I know I have rid the world of one who has done so much ill." But Richard said, "I forgive thee my death", and ordered him to be released. The lion-hearted king died on April 7, 1199. He had named John as his heir. He was buried near his father at Fontevrault. Though he had lived rashly he died penitent. A year before his death he had turned from his evil ways, and promised to give up his 'three daughters', as a priest called them, Pride, and Covetousness, and Evil-living. "The first I give to the Templars," he said, "the second to the Grey Monks (Cistercians), the third to some of my bishops." If he was more of a knight-errant than a king, and much more of a foreigner than an Englishman, he was born on English soil, and he made the English name renowned in Europe and in the far East. "A very strong man," he was, says a great writer, "who knew at last his own need of mercy."

CHAPTER IV.

THE REIGN OF JOHN, 1199-1216.

His generous brother's last words had given John a claim to the homage of the barons. The young Arthur, his brother Geoffrey's son, dwelt with his mother Constance in Brittany, where she had tried to keep up the local independence and refused to follow the rule of the The election of John. Angevin house. But no one spoke for Arthur, and England recognized John as his brother's heir. On Ascension Day he was crowned at Westminster, when it is said that Archbishop Hubert Walter solemnly repeated the old constitutional formula that the English crown was elective, and said that the new king was chosen because he was the strongest of the royal house. Thus

it was claimed that the new feudal idea of hereditary right did not affect the crown. The French kings, in crowning their sons in their lifetime, had tried to provide for their succession, and had so gradually established the rule. But in England it was not so, and men saw that John owed his crown to election and not to his inherent right. At his crowning John made the three ancient promises—to protect the church, to do justice to all men, and to make good laws. Never were oaths more readily made and more lightly broken. He was treacherous beyond any of his house, who had never held very fast by their honour or their creed—and in this he stood in marked contrast to Richard, who, in his later years at least, had learnt something of the chivalry which belonged to the true knight. In the indulgence of his ^{His} ~~character~~ passions John was utterly unrestrained. He had not his brother's bravery or his father's wisdom. He was mean as well as cruel, and could neither keep a friend nor withstand a foe. Gerald of Barri, who had been his tutor, and from the first had noted the vices of his character, came at length to declare him the worst of all the tyrants of history. "Hell itself", said another, "is defiled by the presence of John." He was, in fact, the worst of his race. For centuries the house of Anjou had borne a terrible name. Men said they came of a race of devils, and strange legends grew up about the origin of their line. In John all the vices of the house, through the centuries of its ruthless course, seemed to unite. Yet he was indolent even in his viciousness, and readily passed from the extreme of recklessness to the depth of apathy. Men had hated and feared his forefathers—him they hated and despised.

When he had let his great heritage slip from him, an indignant poet of the South cried out upon his slackness: "I will make a sharp-edged verse, which I will send to the English king, to cover him with shame, which he ought to feel when he remembers his fathers, and thinks how he has left Touraine and Poitou to the King Philip. All Guienne mourns for Richard, who spared no treasure

in its defence. But this man has no feeling. He loves jousts and huntings, to have hounds and hawks, to drag on a life without honour, and see himself plundered without resistance."

Yet John began with every good prospect. The firm administration of his father still endured, and was worked ^{The peaceful} by men capable and honest. His aged mother, ^{beginning of} who knew the politics of Europe and had all his reign. the skill of a great diplomatist, was ready to serve him, as she had served Richard, with all her strength and all her wit. Philip of France, though he might be his most dangerous foe, had hitherto been his pledged friend. William, the Scottish king, came to him and did homage. Ireland and Wales were undisturbed. He made a formal peace with France, and gave his niece Blanche of Castile in marriage to Louis, King Philip's son. It seemed as if John was secure, and Arthur had no friends.

But within the year all was changed, and changed through John's folly. He had married Hawisa, the ^{His} heiress of the rich earldom of Gloucester, and ^{marriage.} through her had been a great English baron before he was king. Now he divorced her, and took Isabel of Angoulême, who was pledged to Hugh, Count of La Marche. Hugh, though he was John's vassal, carried his grievance to King Philip, and the complaints of Constance of Brittany, joining with his wrongs, induced the French monarch to make war on John, alleging as his *casus belli* Arthur's rights to his late uncle's dominions, and the robbery of Hugh's promised bride.

In 1202 the war broke out in Poitou. Arthur was joined by many rebellious barons. Philip had summoned John to answer in his court to the charges that his vassals made against him, and when he would not come declared his lands forfeited. For a while there was great danger. Queen Eleanor was nearly captured by Arthur in the castle of Mirabel; but John by a rapid march and a clever night-onset, freed his mother and took Arthur prisoner. Within a year, in April, 1203, Arthur died in prison, slain,

men said, by John's own hand. From this moment the Norman barons, having no other claimant to ^{Murder of} ~~Arthur~~ put forward, when they wished to avenge their grievances on the Angevin ruler, turned to France; and everywhere men began to abandon John, whom they regarded as a murderer. Philip summoned him to stand his trial, but he would not come, and sentence of forfeiture of all his French fiefs was pronounced. The barons rose and the French army poured into Normandy, but John sat carelessly feasting at Rouen, and did not raise a hand to defend himself. For a year Château ^{Loss of} ~~Normandy~~ Gaillard held out, but at last it yielded when all its stores were spent. It had gallantly withstood the whole military power of the French crown. John himself had seemed for a while to be exerting himself for its relief. He sent a flotilla of small ships, manned, it was said, by 'pirates', up the Seine to break the blockade, while at the same time William the Marshal led three hundred knights along the left bank of the river. But a delay occurred which ruined the plan, and Philip took advantage of the failure to draw still nearer to the castle. John left his gallant men to their fate, but they still held out month after month. At last, on March 6, 1204, a breach was made in the wall, and the French captured the great fortress that had been so gallantly defended.

On March 21 Queen Eleanor died. John stayed in England, and by the summer all his lands in north and central France had slipped from him. All the Norman duchy was lost except the Channel Islands, which England holds to-day as the sole remnant of the heritage of William the Conqueror. All Anjou, Touraine, Maine, were gone too, and the overlordship of Brittany. Of all the French lands which his father had ruled, John retained only part of his mother's duchy of Aquitaine. And all was lost by mere sloth, for there was still much to have held the great Angevin Empire together. The Norman barons were really much more closely linked to England than to France; many of them had estates on both sides of the Channel, and all had traditional feuds with their French

neighbours. The Norman towns, too, were better off under the English kings, and all the sentiments of past history for three centuries taught hostility to the house of Capet.

The loss of Normandy had great effects on English history. Our kings were now driven to reside more in their island realm, and thus were brought more constantly with their virtues and their crimes before the English people, who soon came to call them, as they had never done before, to account for their deeds. A national feeling, too, began to rise, a hatred of foreigners, which began with a hatred of the foreign court, and might be, as the king ruled well or ill, against him or in his favour. And as this feeling rose, the nation began also to realize its own unity. Norman and English were already so mixed in race that men could no longer distinguish the men of either blood; now this fact became evident in the action of the baronial party. The barons, half English in blood, came to see that they were all English in duties, in claims, and in feeling. They began to ask, as the folk had asked under the stern rule of the Normans, for the good laws of the old English kings.

In 1205 died the able Archbishop Hubert Walter, who had kept the king at peace with the church. In 1206 John made a slight effort to win back his foreign lands; but he easily agreed to a truce by which he gave up all his northern heritage. He seemed to have lost all sense of his position. When he heard of his great minister's death, he said, "Now for the first time I am truly king of England". It was true in a sense in which he did not mean it. The administration which his father had set up, and through which the Angevins' rule over England had so long been carried on, had now at last broken down. The faithful servants of the great king were dead, and most of those trained in their school had passed away. John, it seemed, must be his own minister.

Left now to face his English subjects, John soon began to meet the consequences of his folly and his crimes. His first quarrel was with the church. The monks of

Canterbury chose their sub-prior Reginald to succeed Hubert as archbishop, without taking the king's pleasure, and sent him off to Rome to receive the pope's ^{The election to Canterbury.} sanction. John, however, had determined that a minister of his own, John de Gray, Bishop of Norwich, should be primate, and forced the monks in a new election to choose him. The bishops of the province of Canterbury also claimed to elect, and all parties appealed to Rome. The great Pope Innocent III. would confirm none of these claims. He declared both elections void, and then the Canterbury monks at Rome, who had full power to act for all their fellows, chose under his direction a great scholar and a cardinal, then at Rome, Stephen Langton, the Englishman of all others most worthy of the place. He was consecrated by the pope himself, June 17, 1207.

John would have been wise if he had accepted what had been done; but he refused to receive Langton, and stood out against the pope's warnings. Innocent was a man of high principle and of strong will, astute and ingenious, and unflinching in doing what he believed to be his duty. It was not likely that he would yield to a man such as John. On March 23, 1208, he laid England under an interdict. By this the churches ^{The Interdict.} were closed, though prayers might be said and sermons preached in the churchyards. The Sacraments of Marriage, Extreme Unction, and the Eucharist were forbidden—though many monasteries were exempt from this general rule. Burials were not allowed in churchyards, and baptism might only be performed in private. This was felt then to be a severe affliction to the whole land,—though at the present day some Protestant bodies voluntarily restrict their worship within much the same limits. John treated the Interdict with contempt, and seized the lands and goods of the clergy who obeyed it. He thus was able to refrain from taxation, and the baronage as yet showed no sign of opposition to his will. But he did not know the man with whom he had to deal. Innocent threatened that he would excommunicate him

for his defiance. Still he persisted, and he drove most of the bishops from the land. He continued to rob the clergy, and to rob and persecute the Jews; he made his barons give him hostages for their loyalty, and then he made the King of Scots do homage anew. In 1210 he went to Ireland, and brought to submission the warring parties of the English pale. But at last the pope's vengeance fell. When John had again refused to receive the archbishop, Pandulf, the pope's special envoy, warned him in presence of the earls and barons of England of the consequence of his act, and of the further excommunication that would follow. "What more?" asked the king scornfully. "We have absolved", said Pandulf, "every earl, baron, knight, freeman, and every clerk and layman, and every Christian man in all your land, from their fealty and homage to you." The pope, a few months later, gave to Philip of France a commission to execute this sentence of deposition.

John passed from defiance to the extremity of terror. One Peter of Wakefield had prophesied that by Ascension Day he should have lost his crown, and everything seemed to point to the fulfilment of the prophecy. The terrors of excommunication, too, were not without effect. John knew that he could not depend upon his own men, and he knew, too, the strength and the astuteness of the great king Philip. On all sides there were signs of discontent, though many of the barons still stood by him. But his own heart failed, and on May 13, 1213, he made complete submission to the pope, agreed to recall all the bishops, and surrendered his kingdom to receive it again as a fief of the Roman See, with the yearly tribute of 1000 marks. No submission so abject was ever made by an English king. Yet at the moment it seemed to promise John a complete triumph over his foes. He was in league with the Emperor Otto (who was the son of his sister Matilda), and with the Counts of Flanders and Boulogne, against Philip of France. His ships, under his natural brother, William Longsword, Earl of Salisbury, destroyed the

John's surrender of his crown, 1213.

French fleet, and he himself prepared for a great expedition against France. Stephen Langton came to England as Archbishop of Canterbury, and released the king from his excommunication. But now the barons refused to move. They had come to see that they had no interest in the king's foreign wars, and they began, too, to call for the old law and the justice of Henry I. John tried in vain to coerce the stout barons of the North, and meanwhile in a council at S. Albans on August 4, 1213, where, besides the barons, there were present men from all the townships on the royal demesne, Geoffrey ^{the demands} Fitz-Peter, the justiciar, himself one of the ^{of the barons.} ministers of Henry II., undertook that the laws of Henry I. should be restored. It was clear that the whole land felt its concern in the great question between king and baronage. A council was summoned to meet at Oxford, at which not only the feudal tenants were to be present, but also four discreet men from each shire. Thus the custom of representation which had long obtained in the shire court, to which there came four men and the reeve from each township, was now extended to the national council itself. At the same time Stephen Langton gathered a council at S. Paul's, and took the chief barons apart, saying, "Ye know how, when I absolved the king, I made him swear that he would destroy evil rule, and cause the good laws of King Edward to be observed. There is now found a charter of King Henry the First, by which you can, if you will, restore the lost liberties of the land." So they demanded that John should rule on the lines of that great declaration of the king's justice, the Coronation Charter of his great-grandfather. Discontent had forced a voice and a basis for its demands. The justiciar might have kept the peace, but he died in October, and then John found himself face to face with the barons, who knew their own strength and their aims.

There was, however, a pause. John crossed to Poitou in February, 1214. On July 27 some of the English, under the Earl of Salisbury, with the emperor's troops and the Flemings, were utterly defeated at Bouvines, near

the French northern frontier, and the Count of Flanders and the Earl of Salisbury were taken. It was a crushing blow. The great alliance was broken up, ^{The battle of} Bovines. and as John was also defeated in Poitou, Philip was able to force a truce upon him, and remained not only supreme in France, but the greatest of European monarchs.

The news of this defeat emboldened the English barons to demand the redress of their grievances. The archbishop was now their leader, and when John returned he dared not reject their request. He tried to separate them by promising to the church freedom of election to all bishoprics and abbeys (which no other king save Stephen had allowed), and then appealed to the pope to help him. Innocent took his side, but the archbishop and the barons presented 'Articles' of their demands, in which they sought for justice in all matters where they had been wronged, and for a due observance of the laws, and restraint of the royal officers. John in a passion refused. The barons at once got together an army, and made Robert Fitz-Walter their head as "marshal of the host of God and holy church". They had with them the citizens of London, whom the king had oppressed, and the people and the church also recognized in them the champions of the liberties of the whole land. John found it impossible to resist. On June 15, at Runnymede on the Thames, near Windsor, he met the barons and signed Magna Carta, the great charter of the liberties of England.

The charter was a statement of the rights of all classes. The church was allowed her freedom to elect, and all ^{Magna} _{Carta.} other lawful rights. The rights of the king over his tenants, and of the barons over their men, were restricted. No scutage or other like tax was to be levied save by the consent of the great council of bishops and barons. The rights of London were assured. The Court of Common Pleas (ordinary suits between subjects) was no longer to follow the king, but to be held in a fixed place. The king's foreign mercenaries were to

be banished. And the great principles of liberty were asserted in words which became famous. No free man was to be taken, imprisoned, deprived of his land, banished, or in any way hurt, save by the judgment of his peers (equals) or the law of the land. No man was to be fined save according to the measure of his offence, and so as to leave him his means of earning his living. And to no man, the king promised, would he sell, delay, or deny justice.

Twenty-five barons were chosen to see that this charter was carried out, and were allowed to make war on the king (save only that they might not seize his person, or that of his wife and children) if he did not keep his word. Thus all that Henry II. had done to strengthen the royal power was undone; and the English kings had now to give account to a people whose rights were known and admitted by the laws.

Yet there was little if anything that was definitely new in Magna Carta. It was of a piece with all past recognitions of right. It followed the old English laws and the charter of Henry I. The Church of England had always been considered free; the barons had always been protected by the legal rights of their feudal position; the villeins had always had their means of earning a living outside the claims of the royal tax-gatherers. But these rights were such as a strong king could ignore, and not till John's day had there arisen an united party of all classes that could make the king do right. The great council of the realm gained little in theory that it had not possessed before: kings had always taken its consent when they came to lay taxes on the nation. And the barons had had their right of summons rarely if ever contested. The charter indeed was very much more of a restatement than an alteration of English law and custom. But its real importance lay in the fact that it gave a rallying cry to all those who for the future should oppose misrule in a king. Men appealed for many centuries to the Great Charter of Liberties of King John.

But all this was not apparent at first. The charter

seemed only the starting-point for new strife. King and baron had sworn to it, but oaths were as easily broken as they were made. John never intended to keep his word. He at once asked the pope to absolve him from it, and prepared, by hiring more foreign troops, to fight when the barons should discover his treachery. The pope hastily declared the charter illegal, summoned Langton to Rome, and excommunicated the barons. Then both parties pre-

The invasion of England. pared for war. John harried the north, and attached Alexander, the young King of Scots, who had occupied Northumberland. The barons chose the Earl of Essex (who had married John's divorced wife) for their leader, and asked Louis of France, King Philip's son, who had married John's niece, to take the English crown. Till the French landed John carried all before him; only London resisted his attack. When Louis landed, May 21, 1216, the barons rallied round him; even the Earl of Salisbury deserted his brother, and all men seemed to look to the French prince as their only saviour from the tyranny and treachery of the king. Louis was everywhere successful. In three months he was master of the south-west and north of England. Only a few of the castles held out for the king, Dover and Windsor, Newark, Nottingham, Lincoln, and Barnard Castle; and Alexander, King of Scots, marched down from the north and did homage to Louis at Canterbury. Meanwhile John moved here and there, burning and slaughtering, but was gradually driven north. As he was turning again to meet his foes his baggage was swept away by the sudden incoming of a high tide, as he passed by the Wash, and at Swineshead he was seized with illness, which men said was due to poison. He

The death of John, October 19, 1216. reached Newark on October 16, and there he died three days later, commanding his little son to the care of the new pope, Honorius III. He was buried in Worcester Cathedral. No man, even among his own trusted servants, regretted him. England had never been ruled by so bad a man, or so bad a king. There was a general feeling of thank-

fulness and relief when the news of his sudden death spread over the land.

CHAPTER V.

THE REIGN OF HENRY III. (1216-1272).

John had left five young children; of these two were boys. The elder, Henry, was just nine years old when his father died, and his brother Richard was two years younger. It was well for England that the heir of the evil king was an innocent child. The strong party which had invited Louis, and was pledged to support ^{England at} him, and which would certainly have soon ^{John's death.} overcome the mercenaries of John, had no liking for the Frenchman save as a champion against the tyranny of their hated sovereign. Louis had married Blanche, the granddaughter of Henry II., and in default of a better candidate he might have been accepted as king. But the claim of a child had far more to recommend it. The barons knew that they could hold the government themselves till he was grown up, and they thought they could give a direction to the policy of the crown which it would not be easy afterwards to alter. The young Henry they had in their own hands. Louis as king meant the great Philip to reckon with, and it might be that England would be again drawn at the chariot wheels of a foreign power. The barons had learnt that they were Englishmen, and were soon ready to claim England for the English. On October 28, 1216, the young Henry was crowned at Gloucester. The pope's legate Gualo, Peter des Roches, Bishop of Winchester (whom John had made justiciar after the death of Geoffrey Fitz-Peter), William, Earl of Pembroke, the Marshal, and some faithful ^{The crowning} barons, stood by him. They wisely showed ^{of Henry III.} that they intended to rule as the nation willed, by reissuing the Great Charter, leaving out, however, the articles

which provided that taxation should only be granted by the great council.

Louis on the other hand showed signs that he intended to rule England as a French province, and when he went back to France to gather more troops, many of the English who had before followed him went over to the side of Henry III. The new pope, Honorius III., took up very strongly

^{The Fair of Lincoln, April 18, 1217.} the side of the young king, as a vassal of Rome, and recognized the Great Charter,

which Innocent III. had condemned; so on April 18, 1217, the legate excommunicated Louis and the barons who supported him. On May 20, William the Marshal totally defeated the French party at Lincoln. All day long the fight raged in the narrow streets of the old hill town, and the conquerors plundered where they could, so that "they each returned to their lords as rich men", and the battle was called 'Lincoln Fair'.

Louis now found himself in a hard strait. He sought more help from France, but the fleet was scattered by the ships of the loyal Cinque Ports, under Hubert de Burgh (now justiciar), in the Dover Straits, on August 24, and Louis himself was besieged in London by William the Marshal. On September 11 a treaty was made by which Louis agreed to leave England on being absolved by the church, and Henry promised to forgive the rebel barons

^{Henry III.} and to observe Magna Carta. So the young King without a rival.

more the land throve under the wise rule of William the Marshal. The charter was issued anew, with provisions against grants of lands to monks, for the abolition of feudal services, and for the regular holding of the local courts. A new Forest Charter was also given, in which the harsh rules of Henry II. and John were withdrawn.

Next the king's wise minister banished from the kingdom the mercenaries whom King John had employed. At the beginning of 1218 many of the barons went on crusade, among them Robert Fitz-Walter, who had led the lords who won the charter. Archbishop Stephen Langton

had returned from Italy, and added his prudent counsels to those of Pandulf, who was now legate. In 1219 the good Earl Marshal died; and Hubert de Burgh was chief ruler of the land. Hubert de Burgh and England for the English. He was not popular among the barons, who regarded him as an upstart; but he was a strong man, and gradually he brought the land to peace and quiet. In 1224 he at last managed to obtain the banishment of Falkes de Breaute, a ruffian whom John had employed, and who had made himself rich and powerful since his master had died. Langton became pope's legate, and Peter des Roches and the other foreigners became gradually less prominent.

In 1227 Henry declared himself of age, and from this time the influence of his personal character began to be seen. He was very unlike his father. He The character of Henry III. was a brave knight, and a pious Christian, gentle, courteous, and kindly. Yet he was far from being a great man, and he had many faults. He was vain and changeable; he had none of his grandfather's wisdom and some of his father's falseness. He meant well, but he did ill; and his long reign of fifty-six years was one of the weakest if not the worst in English history. But, nevertheless, in his own day he seemed at times a magnificent figure. England in his day kept something of the great position she had held under the Conqueror, Henry I., Henry II., and Richard I. Henry III. "filled in Europe a position created for him perhaps by the labours of his grandfather and uncle, brought into prominence by the failure and fall of Frederick II. [the Roman Emperor], and made influential by his close connection with the other sovereigns of Christendom; but out of all proportion to his ability. He was magnificent, liberal, a patron of art, and a benefactor of foreigners. His reputation for wealth laid him open to the extortions of all the needy in Europe; his patronage of them left him poor; and his poverty brought out his meanness and deceit at home." It is easier indeed to draw a clear picture of Henry III. than of many of our early kings. His reign, even more

than that of Henry II., was an age of great chroniclers, and his court was honourably noted for its patronage of learned men. Matthew Paris, a monk of S. Albans

The chroniclers of his day. (1195-1259), was the best Latin writer of the century. He was often employed abroad on

diplomatic missions, received constant information from the court, and had access to many state documents. He was a traveller, a courtier, and a politician as well as a monk, and he was admitted to a close intimacy with the king and his brother Richard. From his lively pages we obtain a clear notion of the part which the clergy played in the politics of the time, and are able to understand how the king's character struck the men of his own day. Matthew Paris is never afraid of expressing a severe judgment on Henry's weakness, or of hinting broadly at his lack of honourable stedfastness. Besides Matthew Paris we have Adam of Marsh, a learned Franciscan, who was honoured both by king and queen, and was the trusted counsellor of Simon de Montfort; he who was equally at home at the court and in literature, or "serving the wretched and the vile, and performing the prime and essential duties of a friar". Thomas of Wykes, Robert of Gloucester, William of Rishanger, were other writers of eminence who have left vivid pictures of the England of Henry III., and Robert Grosseteste (1175-1253), Bishop of Lincoln, in his letters has expressed with unmistakable force and truth the feeling of Englishmen with regard to the great political and religious crisis in which he was engaged. It was an age of great chroniclers, of men who were no longer content to give a bare record of facts, but who judged public events for themselves, and boldly criticised the times and the men. It was an age, too, of great kings, and the Henry III. whom the contemporary historians picture for us was little worthy to stand beside Louis the Saint of France, or Innocent IV. and Gregory IX., astute and powerful popes, or Alfonso the Learned of Castile, or Frederick II., the 'wonder of the world'.

The young king, when he declared he would be his own

minister, did not cease to employ Hubert de Burgh. Till 1232 the wise minister prevented the worst effects of the king's rashness and suspicions. In 1228 Henry fought in Wales, in 1230 he crossed to Brittany, and thence passed to Gascony, and his men under the young Richard the Marshal (to whom the king had given his sister Eleanor in marriage) obtained some success against Louis IX. of France. But the French wars were a constant drain on England; and Gascony, over which the king's brother Richard, Earl of Cornwall, was set to rule, was hard to govern, and again and again was in revolt against the English. Added to this the popes, who had so wisely kept England for Henry while he was a minor, now made repeated demands for money to help them in their wars in Italy. Henry was not the man to overcome these difficulties. In 1232 he dismissed Hubert de Burgh, declaring him a traitor, and gave England into the hands of the Poitevin Peter des Roches, Bishop of Winchester, and the foreigners who surrounded him. All the good ministers of the king's early years were now dead. Stephen Langton had been succeeded as archbishop by Edmund Rich, a pious scholar, but a man unequal to advise in a stormy time. Henry foolishly offended all those who wished for a just and firm government, and Richard the Marshal, the leader of the barons, was driven into open revolt and leagued with the princes of Wales. Henry was defeated when he tried to crush the revolt. Earl Richard tried to raise Ireland, but was treacherously assassinated. Before this the king had been forced to learn how ill he was being counselled, and he dismissed Bishop Peter and made peace with his barons.

A new period began with the king's marriage in 1136. His sisters had already made alliances which might prove of political import. Eleanor's wedding was the pledge of friendship with the constitutional baronage. Joan had married Alexander II., King of Scots. In 1235 Isabel married the Emperor Frederick II. In the next year Henry himself married

The begin-
ning of
troubles.

The king's
marriage,
1136.

Eleanor, daughter of Raymond IV., Count of Provence, whose sisters were or became the wives of Louis IX. of France, of his brother Charles of Anjou, and of Richard, Earl of Cornwall. With these foreign connections foreigners poured into England; and the national feeling, already aroused by the papal demands, and the needs of the king's continental lands, grew steadily in intensity, demanding that England should support only its own folk. The king was already becoming overwhelmed by financial difficulties. Year after year he was asking his council for more money, and year after year the pope's demands also increased. Men everywhere spoke of the waste and prodigality of the court, and protested against the avarice of Rome and the corruption of the pope's officials. The burden pressed most heavily on the clergy. A song of the time says:

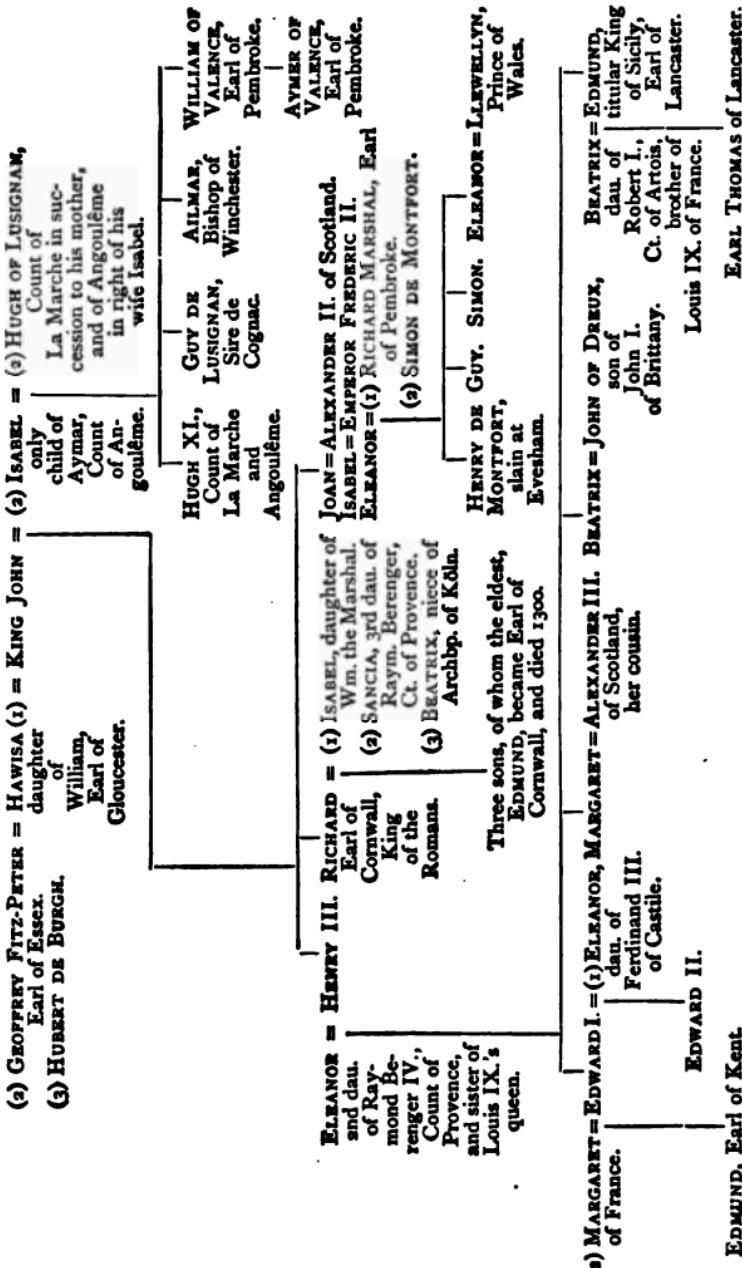
Free and held in high esteem the clergy used to be,
 None were cherished more, or loved more heartily.
 Enslaved now, betrayed, brought low,
 They are abased sore
 By those from whom their help should come:
 I dare no more.
 King and pope, alike in this, to one purpose hold,
 How to make the clergy yield their silver and their gold.
 This is the sum. The Pope of Rome
 Yields too much to the king;
 To aid his crown, the tithes lays down
 To his liking.

Clergy and barons alike protested. Archbishop Edmund warned Henry against allowing a papal legate to land. Earl Richard "Earl Richard of Cornwall, the king's brother," of Cornwall says Matthew Paris, "was the first to call the king to account. He sharply rebuked him for the great desolation that he had made in the realm, and because day after day on new-fangled and captious pretexts he spoiled his own barons of their goods, and thoughtlessly bestowed all he could scrape together on the enemies of the kingdom, who were plotting both against him and his realm."

Year by year Henry added to the discontent. In 1238 his sister Eleanor, now left a widow by her husband's

THE KINDRED OF HENRY III.

(X78)



murder in Ireland, was married to Simon de Montfort, Earl of Leicester, son of the famous crusader of the same name, who had put down the Albigenses of Southern France. Simon the younger had been confirmed by the favour of the king as Earl of Leicester, as heir to his mother, the daughter of Henry II.'s justiciar, and was high in favour at court for his chivalrous character and handsome person.

The marriage excited general indignation. It was thought that Earl Simon was but another greedy foreigner, ^{Simon de Montfort, Earl of Leicester.} and that the king was giving himself more and more into their hands. Earl Richard of Cornwall became leader of the malcontents. "At that time", says Mattl. v Paris, "sure hopes were entertained that Earl Richard would free the land from the wretched slavery it experienced at the hands of Romans and other foreigners; and every one, from boys to old men, heaped constant blessings on his name." But it needed years of misrule before the church and barons should be strong enough to reform the government, and meanwhile matters went from bad to worse. In the church the pope's demands grew year by year. In 1237 came a legate Otto, who demanded a fifth of ^{The Pope's demands on England.} all the clergy's goods for a war against the Emperor Frederick II. His arrogance offended everyone, and led to a tumult at Oxford, where the scholars of the new-founded schools, or university, set upon him and drove him from the town.

In 1240 Earl Richard and Earl Simon went on crusade, that they might not "behold the evils of the nation and the desolation of the realm", and shortly after Archbishop Edmund left England in despair, because the pope had ordered him to provide for three hundred Romans in the first church benefices that fell vacant. He died in the same year at Pontigny, where he had sought refuge like S. Thomas before him. He was canonized in 1246.

The pope's constant demands were not received without protest. The rectors of Berkshire declared that they would not give for the war against the emperor, because he

had not been condemned by the judgment of the church; because as all churches had their separate patrimony the English church ought in no wise to be taxed by or pay tribute to Rome; because the pope had no dominion or proprietorship over England, and because such demands were a robbery of the poor and an attack upon the just rights of the English patrons. The protest represented the great mass of English feeling.

In 1241 the king had caused his wife's uncle, Boniface of Savoy, to be elected Archbishop of Canterbury. In 1242 the pope sent "a new extortioner, Martin by name". In 1244 even the king protested against the papal demands, and when he found that the revenues held by Italians in England amounted to 60,000 marks, more than the revenue of the crown, "was very angry, and began to detest the insatiate greed of the Roman court". Yet the abuse was not checked. Seven years later Grosseteste declared that the pope's nominees had revenues within the realm three times as great as the royal income.

The English Parliament, as the great council had now come to be called, sent a formal protest to the pope, which was read at the Council of Lyons, but the Pope Innocent IV. took no heed. Year after year the exaction continued, and the new archbishop Boniface was more active in asserting his own rights than in protecting those of the church. One great bishop alone stood ^{Robert Grosseteste.} out. Robert Grosseteste, who had been rector of the new order of friars of S. Francis, and who was a devout and holy man, of great wisdom and honesty, had been elected Bishop of Lincoln in 1235. He reformed his own vast diocese, with the aid of the friars, and was especially stern in enforcing the obedience of the monks to their rules. Men called him the "destroyer of the monks", but all knew his true spiritual earnestness. He was a friend of Earl Simon, to whom men were beginning to look as the leader of the party that sought reform. He talked with him, and with his friend Adam of Marsh, of government, and was the tutor of his son. But while Simon was preparing to seek a reform of the

state, Grosseteste was fighting for a reform of the church. He ceaselessly opposed the pope's attempts to tax England for his own benefit, and protested in person before Innocent IV. against the corruption and avarice of his court. At last, in 1253, the pope demanded that he should give the next vacant prebend in his cathedral to his nephew, a boy, an Italian, not in holy orders, and quite without any intention of coming to England. Grosseteste absolutely refused, in a letter declaring that such a demand was made for destruction, and was utterly incompatible with the holiness of the apostolic see. He died shortly afterwards, protesting with his last breath against the evils of the time. The pope's demands had now taken a new form. In 1252 Innocent IV. offered to Richard of Cornwall the kingdom of Sicily, of which he declared that Frederick II. was rightly deprived. In 1255 Henry accepted it for his son Edmund. But the barons refused to provide men or money to win a kingdom from a Christian monarch, or to gain a heritage outside the land, for the king's son.

While Henry was thus falling more and more under the control of the popes, and thus bringing about a crisis in the relations between himself and his Gascons. barons, his foreign dominions were a constant drain on his resources, and his hold over them was slowly being relaxed. Gascony was ruled at one time by Richard of Cornwall, at another by Simon de Montfort. Neither could subdue the turbulent barons. Simon became engaged in money transactions which induced him to pledge the king's credit without asking his consent. The discovery of this, as well as the constant complaints of the Gascons against his hard hand, made an irreconcilable breach between him and Henry. The king himself made three expeditions to France, but in spite of some temporary successes was always in the end worsted. War

Battle of Taillebourg, 1242. with Louis IX. was a constant feature of this period of the reign; but the campaigns were mostly unimportant, and the English took only the faintest interest in it. In 1242 there was a great

Battle at Taillebourg, in which Henry narrowly escaped capture. In 1253 Henry spent a year in Gascony, but achieved nothing. It was indeed only through the generosity of the French king that he retained his foreign lands at all.

Meanwhile the feeling of the barons was being more and more clearly expressed. In 1237 and 1242 the great council seriously warned the king of the evils which ^{The Barons} he was bringing upon the country. In 1244 ^{protest.} twelve barons were chosen to treat with Henry when he again demanded money. Simon de Montfort and Richard of Cornwall stood together among the twelve, and demanded that the king's advisers should be elected by the council, and should be compelled to see to the execution of reforms. In 1248, 1249, 1255 the demands were repeated.

All that seemed gained was a renewal of the charters, the Great Charter, and the Charter of the Forest. But they were no better observed. Yet all the time the barons were growing in power, and they were training an instrument which should serve them when the time came to act decisively. The old great council, in which sat the bishops and greater abbots, and all the king's tenants in chief, was gradually learning to make itself the mouth-piece of the popular feeling, and to claim the right to execute the popular will. The king was obliged to grant concessions, which implied that ^{The begin-} ^{nings of} ^{Parliament.} it was something more than a mere meeting of his vassals, called together to hear his will, and to tell him in what way they would provide for obeying it.

In 1254, when he was himself in Gascony, there were summoned to the council, which was to be asked to grant supplies for the war, not only the feudal tenants of the crown but two knights from each shire elected by the county court. Thus the local courts were brought into connection with the great council, and the great council assumed something of the appearance of a national and representative body. The council, too, began to be called a Parliament, 'a place where men talked'. There began

to be real discussions—not merely the dumb acceptance of the king's commands. It needed but one final folly of the king's to make the council stand forth to demand in the name of all classes the ending of the misrule and disorder.

In 1257 the time came. The king now stood alone. Richard of Cornwall after his marriage with the queen's sister had ceased to care about English reform, and had gone over sea. Some of the German electors had now chosen him as King of the Romans, and, eager to push his claim to be emperor, he ceased his old constitutional protests. Sir Edward, the king's son, had not yet turned to serious things, but was fighting on the Welsh border,

^{The foreigners in} and leagued with the Mortimers, who ruled in the Marches, against the princes of the native ^{Welsh.} England.

The foreigners whom Henry had brought to England, his wife's kindred and the Lusignans, his half-brothers (for his mother, Isabel of Angoulême, had married her old lover after John's death), were not the men to whom Englishmen would listen when once they had taken in hand to set the kingdom right. In 1258, at a meeting of the Great Council of Parliament, Richard of Clare, Earl of Gloucester, almost the only survivor of the houses of the great earls who had been so plentiful a century back, declared that the time had come to redress the grievances under which all classes groaned. The clergy were taxed to pay for the war on behalf of the young Edmund, called King of Sicily, and Henry was pledged to pay for the pope's campaigning. On May 2, 1258, the king agreed that a commission of twenty-four barons should be appointed to draw up a scheme of reform. On June 11, at Oxford, a long list of grievances was presented. It was the result of long and anxious dis-

^{The Petition of the Barons.} cussion by the barons in the council among themselves, and with the friars preachers; and before it was finally produced, all who framed it, "giving their right hand to one another as a pledge of faith, swore they would not fail to prosecute their design through loss of lands or money, nor through favour to themselves and

their relations". And "after renewing their league and reiterating their oath, they confirmed the design which they had conceived, that neither for life, death, or holdings, for hatred or for love, or for any cause whatever, would they be bent or weakened in their intent to regain praiseworthy laws, and to cleanse from foreigners this kingdom, which is the native land of men of noble birth and of their ancestors". So excited was the feeling that men called it the Mad Parliament. The chief articles of the Petition of the Barons were those which demanded: (1) redress of the illegal extension of the law of wardship, by which the king took the land of minors and compelled them, whether male or female, to marry whom he would; (2) that the king's castles should be held by natives—not foreigners; (3) that the forest laws and the king's encroachments on the barons' forests might be modified; (4) that the king's dues might not be unlawfully extended; (5) that the Jews and the new Christian bankers and money-lenders, the 'Caursins' or men of Cahors, might be restrained.

The barons' leaders were Richard, Earl of Gloucester, Simon, Earl of Leicester (who now stood forward as the foe of foreigners and friend of the barons), and Walter of Cantilupe, Bishop of Worcester. Henry soon saw that it was useless to struggle, and accepted the Provisions of Oxford (June 1258). A commission of twenty-four was appointed; the justiciar, chancellor, and other officers were sworn to obey them. And then the king's The Provisions of Oxford, 1258. council was chosen anew, and it was ordered that the state of the church should be amended and the king's household reformed, and that parliaments be held twice a year. The Londoners joyfully welcomed these declarations, and many of the foreigners, foreseeing what would be their fate, fled at once from the land. In a solemn scene the provisions were confirmed by the king and all the great men. "The bishops stood with lighted tapers in their hands," says Robert of Gloucester, an Oxford monk, who was very likely himself present, "and the king and the other high men of the land likewise, and the

bishops cursed all those who should undo these laws, and then the king and others said Amen, and threw down their tapers to confirm the curse."

But it was clear enough that this would not mend all wrongs. Henry was eager to be released, and the barons were alarmed "at the fickleness and inscrutable duplicity of the king". He saw that Simon de Montfort was now his rival, and he knew not what his design might be. One day they met in a storm, when Henry took refuge where the earl was dwelling. "What do you fear?" said Simon; "the storm is now passed." Henry sternly answered, "The thunder and lightning do I greatly fear; but thee, by the eyes of God, I fear more than all the thunder and lightning in the universe".

In January, 1259, King Richard returned from Germany, and was compelled to take oath to obey the Provisions. Later in the year Henry and Simon went to France, and all claims on Normandy and Anjou were yielded up to Louis IX. in return for confirmation of the Limousin, Perigord, and Querci, and a sum of money.

Already the barons were beginning to quarrel among themselves, and on October 13, 1259, Edward, the king's son, with the *bachelery* (knights, or small feudal tenants, not barons) of England, demanded that the twenty-four should put forth some of the reforms they had promised. This request could not be refused, and accordingly the Provisions of Westminster were issued. These restricted the powers of the sheriffs, and forbade the grant of land to churches without leave of the donor's lord, but were mostly concerned with matters of feudal interest, and showed that the barons, unlike those who won Magna Carta, were not caring for the people or the church. Thus few changes were made; only the government was not the king's, but Earl Simon's. Richard of Clare, Earl of Gloucester, who had thus far acted as de Montfort's helper, died in 1262.

In 1261 the king fortified himself in the Tower of London, and it was so hard to make peace between him

The Provi-
sions of
Westminster,
1259.

and Simon that it was agreed to submit their differences, and the rights as to the Provisions, to the arbitration of the wise and holy Louis IX. of France. The pope had absolved Henry from his oath to the Provisions, but Sir Edward and King Richard stood firm to their words. The next years were years of great disorder. Henry was away for months in France, and Edward was making war on the Welsh. The Londoners hated and despised the Queen Eleanor, and their attacks on his mother at last made Edward ready to join in fighting the barons. War began at Gloucester in 1263; but on January 23, 1264, King Louis issued his award, called the *Mise of Amiens*. By this all the disputed points were given in the king's favour. He was declared free to choose whom he would as ministers. The Provisions were annulled, but the Great Charter and the Charter of the Forest were confirmed.

Simon would not submit, though he had vowed to accept the decision. He was at this time fighting on behalf of the Welsh princes against the lords of the Marches. He seemed eager only to make a great power for himself. He had boldly won the battle for reform, but when it was won his character seemed to change. He would hear of nothing now but his own supremacy. His party did not begin well. Early in 1264, being in need of money, they slew nearly four hundred Jews who dwelt in peace in London, "little thinking (as the Christian chronicler says, who looked with horror on the crime), that harm would happen unto them". Great sums were seized from the richest Jews, and of this much was taken by Earl Simon, "so that", says the chronicler who favoured the royal party, "he might not be free from the guilt of robbery and murder".

It was the Londoners, indeed, who made peace impossible. Negotiations they broke up, and they continued to insult both king and queen. War broke out in the spring. The king was at first successful. He took Northampton and Nottingham, and Edward took Tutbury, the castle of one

London
and the
barons.



of the barons, Earl Ferrers of Derby. Then the armies marched southwards, and after fighting at Rochester and Tunbridge, met early in May at Lewes. Simon made offers of peace, telling Henry he wished to free him from his foes; but Henry knew of no other foes than those in Simon's army, and on May 14 they joined battle. Sir Edward routed the Londoners, and avenged their insults to his mother; but Earl Simon defeated the ^{The battle of} Lewes. rest of the royal army, and both Henry, King of England, and Richard, King of the Romans, were captured. Then Henry was compelled to make the *Mise of Lewes*, by which he vowed to obey the Charter, to employ only Englishmen, to submit to a new arbitration, and to give his son Edward, and his brother's son Henry, as hostages.

Then a parliament appointed three counsellors, Earl Simon, the Bishop of Chichester, and the young Earl Gilbert of Gloucester, to nominate nine who should be a permanent council, without whom the king might not act.

At the end of the year a summons was issued for another parliament. To this the bishops and abbots were called, and five earls and eighteen barons, and also, for the first time in English history, not only two knights from each shire, but also two burghers from such of the towns as Earl Simon thought loyal to him. Thus a great step was taken, following that of 1254, towards bringing the people of the shire-courts into touch with the government of the land.

But Earl Simon, says the chronicler who favoured him, "was not content with keeping the king a captive"—which indeed was contrary to *Magna Carta*—"but took the royal castles in his own power, disposing of the whole realm according to his will. And his chief offence was that he claimed the entire possession of the revenues of the kingdom, the ransom of the captives, and other profits, which, according to the convention, ought to have been equally divided between him and Earl Gilbert." His sons, too, quarrelled with Earl Gilbert. Then Edward, who had been in charge of Henry, Earl Simon's son, managed

to escape by pretence of a riding match, and gathered troops in the Welsh marches. Edward defeated the earl's son, Simon, at Kenilworth, and on August 4, 1265, surrounded the earl's army in Evesham town. Simon marched out of the streets and up the hill towards Edward's forces, and a hot fight ensued. The king, whom Simon had always led about with him, was dragged into the fight by the barons, and was in great danger, as he was disguised. He could only call out "I am Henry, the old king of England", and "Do not strike me, I am too old to fight". At last, when his helmet fell off, he was recognized and saved by his son's troops. The day went ill for the barons. Hemmed in on all sides they fought gallantly but hopelessly, and Earl Simon fell dead in the thick of the fray. For the next two years some of the barons held out, but they were at last overcome, and by an agreement at Kenilworth (one of the Montfort's castles), October, 1266, the charters were confirmed, and the barons admitted to peace on payment of a fine.

Finally a parliament at Marlborough confirmed most of the reforms that had been made during the years of strife.

For long years men mourned the great Earl Simon. In spite of his cruelty and his ambition he had seemed to many to be fighting for the good of church and state, and the government that he gave was better than the king's misrule. We cannot say what he had planned to do in the end, whether he would have given up all the power he had won to a parliament or even to the other barons. Certainly he never gave up the control of the king or the country to other hands. But the people loved him, and the friars mourned his loss in many a poem and tale. His sons were evil men, and two of them sacrilegiously slew young Henry of Germany, King Richard's son, as he was at prayer in the cathedral of Viterbo, as a retaliation for their father's death.

The last years of the old King Henry's reign were

peaceable. His son Edward led many gallant knights with him to a Crusade in 1270. While he was at Acre in 1271, the treacherous Emir of Jaffa sent a messenger, who stabbed him with a poisoned ^{The crusade of Sir Edward.} dagger. He was near dying, but the skill of an English surgeon, who cut out the poisoned flesh, saved his life. Soon after he was called home by news of his father's illness. He left the Holy Land to the mercies of the Saracens, and before the end of the century the last citadel of the Christian kingdom was taken.

Edward heard on his way home of his father's death. Henry expired on November 6, 1272, and Edward was everywhere peaceably accepted as his successor. ^{The death of Henry III.} He did not hurry home, for he and his good wife, Eleanor of Castile (whom he had married in 1254), were royally entertained by the Pope, the Burgundians, the Flemings, and the French king. He landed in England on August 2, 1274.

England had changed greatly since Henry III. became king. Men had grown more to feel the national unity, and the barons had cast off all lingering attachment to their Norman lands. The great council had been growing into an assembly that talked and acted in earnest. The law courts had been developed, and the King's Bench (for suits in which the crown was concerned), the Common Pleas (for suits between subjects), the Exchequer (for revenue cases), and the Chancery (for suits which could not be brought before the other courts) were all in working. England had changed in many ways, ^{Changes in English life.} but most of all perhaps in the growth of a new and powerful religious feeling through the coming of the Friars.

As the towns grew and trade developed, as the population increased, and men of all classes had a wider outlook, the church became unable to meet all the demands upon her for instruction in learning and righteousness. The parish clergy were poor and ignorant; the monks, who had done so much for England a century before, now that their building was finished and their estates were laid

out, came less and less in contact with the poor, except in the country and in the heart of the largest towns. There was need to minister to the thousands who gathered on the outskirts of the cities, and settled outside the walls free from the restrictions of the guilds. During the century (1150-1250) a large population had grown up which was outside the care of the parish clergy, and very often outside the law too—men who left the country villages when they could, and wandered in search of work or settled near the great centres of trade. Disease, too, was rife among the poor folk, who were huddled together within and without the walls of the towns; leprosy and typhus and malignant fevers carried off many victims. There was great need for physicians both of soul and body.

The need was supplied by the heroic work of the Friars. Two orders were founded early in the thirteenth century.

The coming of the Friars, 1220-1224. They both called themselves mendicants; wholly on alms. The Franciscans were founded by S. Francis of Assisi, who gave up all he had, called Poverty his 'bride', and brought together poor brothers to revive the work of Christ on earth. Their work was to minister to the poor, the vile, and the sick. The Dominicans, founded by S. Dominic, a Spanish canon, were intended to preach, and thus to awake the masses to a sense of higher things. The Dominicans, who came to England in 1220, were called Black Friars; the Franciscans, who came four years later, were Grey Friars. Others followed, orders founded in imitation of them—the White Friars (or Carmelites) and the Austin Friars. The work of these men was quite different from that of the monks. They went everywhere, entering the parishes of clergy who were negligent, and the districts which no priest served, and preaching, teaching, tending the sick and ministering to the dying. At first the Franciscans were pledged to avoid all secular learning; but it became impossible to avoid entering into the intellectual work of the day, and in a few years they and the Preachers be-

came the leaders of thought at Oxford and Cambridge as well as in the foreign schools. Grosseteste was the first rector (or head) of the Franciscans in England, and Adam of Marsh was among the brethren. Devoted as they were from the first to the towns, where the keenest life congregated, they soon came to influence the nation very deeply in politics and in social life as well as in religion. Men came everywhere to live more simply, to be more charitable and friendly to each other, to think less of the distinction of class and clan and more of relieving the sufferings of the sick and poor. Hospitals were built and endowed, great nobles made rules of simple life for their households, men and women in high place joined themselves to the order without leaving their work in the world, but pledged to lives of self-denial and charity. Medicine began to be carefully studied, and the natural sciences. In religion the change was still more marked. Instead of being content with a hasty hearing of mass, the people, rich and poor, came to hear sermons, to attend religious ceremonies, and to devote time and labour to work for each other. A sterner life began to prevail among the clergy. The bishops took care to see that the monks kept the rules of their order, and the clergy, who had often been silently allowed to marry, in spite of the custom and orders of the church abroad, were ordered to put away their wives. The parish priests were ordered to "lead the people to devoutly and attentively hear the sermons of the friars of both orders, and to confess to them"; and soon the bishops came to say that the face of the land was changed, that a new standard of duty was raised up among all classes, and that "to them that dwell in the valley of the shadow of death hath the light shined". Going in and out continually among the people, and themselves poor as the poorest, and often of humble birth, the friars came to know and to express the feelings of the people about the government and the chief men of the day. The Oxford scholars and the wandering friars wrote popular songs bewailing the wrongs of the church and of the state,

Their good work.

and shrewdly glancing at the faults of king and barons and pope and bishops. Thus the Franciscans and the Dominicans threw all their strength into the struggle against the misrule of Henry III., and helped greatly to give to the reforming movement the success it obtained.

“While the great earl and the noble barons, with a few of the bishops, led the fight against papal and royal tyranny, and the historians of the great monastic houses wrote the truths of the struggle for the eyes of the future, the friars and the lesser clergy gave a voice to the popular feeling, and showed what it was that the people, clerk and lay, really needed, and how they regarded the great issues and the great men.”

Thus, with Edmund Rich and Robert Grosseteste and Walter of Cantilupe to speak boldly on public grievances, with great friars such as Bonaventure and Robert Kilwardby to be worthy of high office in the church, and scholars such as Alexander Hales, Roger Bacon, and Duns Scotus to guide the progress of thought, England under Henry III. did not lack leaders among churchmen. And in the state Edward I. himself succeeded to the best traditions of the reformers of his father’s day.

CHAPTER VI.

THE REIGN OF EDWARD I. (1272-1307).

Edward I. was crowned, with his wife Eleanor, on August 19, 1274. He was the first king whose succession Edward’s had been recognized, without question, from training. the moment of his father’s death, as due to his hereditary right. He was better known, and perhaps better loved, than the heir of any other king had been. Cruel and hasty he had seemed in his youth when the Barons’ war began, but men soon learnt to know him as a true and honourable knight, who kept his word and did justice, who was stern with wrongdoers, but willing always

to do right to the people and the state. Edward had had, too, the training of a great king. He had fought within and without the land—in Wales, in France, in Palestine. He had seen men and cities. He knew the foreign sovereigns, and he knew also the great barons and the great clerks and lawyers of his own land. He was less of a stranger than any of the kings who had gone before him since the Conquest. He was born in Westminster, and he lived the greater part of his life (which was a long one for those times) among his English people.

When he came back to England to take into his own hands the government of his people, he began his rule with two aims, which he kept ever before his His aims. eyes. The first was to bring the whole island, if it might be, under one sway—if not to be the only king of it himself, yet to make his power as overlord a real one, to be as the old English kings had been called—a true 'Emperor of Britain'. His second aim was to give his people a greater share than they had yet had in the government of the land. The lessons of the last thirty years had not been learnt in vain. He determined to make the courts free to every subject of the realm, and the council a parliament of all sorts and conditions of men. For England his motto was "What touches all should be approved by all" (*quod omnes tangit ab omnibus approbetur*), for himself it was "Keep troth" (*pactum serva*). It was these aims, and his lifelong endeavours to carry them out in this spirit, that made Edward I. the greatest of our kings.

In himself he was not only great, he was good. He was of frugal, simple tastes, chaste, and truly religious. He was above all things a warrior and a His character. sportsman. He loved the battle, and he loved the chase. But he was by no means deficient in book learning. Like all great kings he learned to speak the tongues of the men with whom he had to deal. He could talk English, Latin, and French, and perhaps also Spanish. He followed his father in patronizing art. He was himself a lawyer as well as a statesman. The

defects of his character were his impetuosity and his violence. He was rash, passionate, vindictive ; and yet he always believed himself to be following the right. He could even descend to a trick, and yet he was always an honest man. Stories are told of him which explain both the terror and the love that he inspired. He was awful in his wrath : once when he was rating a deputation of clergy, the Dean of S. Paul's fell dead before him from sheer fright. He was hasty in his anger: he swam a stream and scaled a rock to punish a careless servant, and he beat a clumsy squire with his own hands, and then made him a present to atone for his violence. He was a good hearty companion to poor and rich, and loved his jest with the merriest of them. He was a devoted husband and a loving father. And with all this, he was one of the greatest men in an age of great men. As statesman, lawyer, warrior, he could compare with the mighty monarchs who ruled abroad in his day, and he left, as few other kings have done, an ineffaceable mark on the history of his own land.

Edward, after his coronation, turned at once to the work of government. Robert Burnell, who had long been his close friend, and was a great lawyer and *His advisers.* an able statesman, he made his chancellor, and soon afterwards Bishop of Bath and Wells. His treasurer was John Kirkby, Bishop of Ely. He learnt much from Francesco Accursi, a legist from Bologna. Many other great lawyers surrounded him, and great barons and bishops were among his ministers. Antony Beck, Bishop of Durham, was a fit successor to such men as Hugh de Puiset. He was a great bishop after the fashion of those days, but he was also a soldier and a politician. In his hands the northern shires, over which he watched from his prince-bishopric, were safe. Henry de Lacy Earl of Lincoln, was truest among the great lay men, and served his master stedfastly in war and peace. Besides the Earl of Lincoln there were other great earls who stood around the king. Gilbert de Clare, Earl of Gloucester, had won his spurs in the Barons' war. He

married a cousin of the king, and when she died the king gave him his own daughter Joan, who had been born at Acre during the Crusade. The king's brother, Edmund, who had never won the Sicilian crown, was Earl of Lancaster, Leicester, and Derby. Humphrey de Bohun, Earl of Hereford, and Roger Bigod, Earl of Norfolk, were to live to lead the opposition to the king at the great crisis of his reign. Edmund, Earl of Cornwall, was the king's cousin, and stood by him closely as long as he lived. Edward used the great earls as counsellors and generals, but he was careful to guard against their political influence becoming dangerous to himself. He strove where he could to attach the earls to himself by marriage alliances, or on failure of heirs to absorb their heritages into the crown lands. So it fell out that under his son their number was much diminished, and men said that Bannockburn was lost because there were but five or six earls to bring help to the king.

Edward's first work was in Wales. He knew of old how the Welsh princes fought with the Lords Marchers, and how every trouble in England was only too The Welsh
princes. faithfully reflected on the borders. Llewellyn, Prince of North Wales, was not long in awaking the new king's wrath. He was called on to do homage. He refused. In 1273, 1274, 1275 he would not come. In 1276 and 1277 Edward made war upon him, and Llewellyn was driven into the fastnesses of Snowdon. At length he submitted, and was allowed to marry Eleanor de Montfort, Earl Simon's daughter and the king's cousin. But as a punishment the land between the Upper Dee and the Conway was shorn from his principality. The peace was not for long. In 1282 war broke out again. Llewellyn was joined by his brother David, who before had served with Edward. The king had tried to introduce English law into those parts of Wales which were his, and to teach the wild people through English merchants, and the rule of great barons in strong castles. Everywhere the English were hated, and it was easy to stir up a revolt, south and north joining against the

English king. Edward was prompt to avenge. He gathered a great army, he got the church to excommunicate Llewellyn as a traitor, he brought his council to Shrewsbury, and gave his whole mind to the task of conquering Wales. He carried all before him. The war was slow, but the success was thorough. Llewellyn, refusing a pardon on condition



that he would surrender his rights and receive an earldom in Ireland, was slain in a chance fight near Builth. David, who proclaimed himself prince after his brother's death, was captured, and was tried before Parliament at Shrewsbury. On October 3, 1283, he died a traitor's death. From this dates the conquest of Wales. Edward now set himself to make it firmly united to the English kingdom. At Rhuddlan, in 1284, he issued the Statute of Wales. By it the land newly annexed from Llewellyn was divided into five shires — Carnarvon, Anglesey, Merioneth, Cardigan, and Carmarthen, and everywhere

courts like the English were established. Edward's son, born at Carnarvon in 1284, was made, in 1301, Prince of Wales. Still, however, the government of the borders was left to the Lords Marchers, and Edward did not summon Welshmen to his English Parliament, ^{The Statute of Wales.} or touch the ancient Welsh law. He united England and Wales under one sway, and he tried to benefit the principality by giving it a good government on English lines, but he did no more. He gave, however, to Wales towns and castles, such as Beaumaris, Bangor, Carnarvon, Harlech, which should make permanent the English influence, and the Archbishop of Canterbury (Peckham) took in hand the reformation and the instruction of the Welsh church. Thus from Edward's conquest date most of the fine towns, and castles, and churches of Wales.

Thus ten years of the reign went by in the Welsh wars and the Welsh settlement. Then Edward turned to the legal reforms, for which he was so well prepared. He was in some sense the first and he was certainly the greatest of the English medieval legislators. The law before his time was largely ancient custom, modified by the enactments of different kings, most of which were not intended to be of permanent force. Edward was surrounded by trained lawyers. Already judges like Glanville and Bracton had endeavoured to ^{The great lawyers.} compress into one book the essence of the many rules under which men lived, and which the judges were to enforce. Under Edward this work was continued. Britton succeeded Bracton, and it may be that the king himself designed to make a code. However that may be, he began by reforms which took the direction of a substantial addition to the law.

In 1275 he issued the *First Statute of Westminster*, which provided for the enforcement of peace and order. In 1276 there followed the *Statute of Rageman*, ^{The laws of} a revision of the law of trespass. In 1278 ^{Edward I.} the *Statute of Gloucester* restricted the power of the barons and the jurisdiction of the local courts. To carry

out the provisions of this statute commissioners were sent round the country to investigate the titles by which the barons held their privileges. Writs were addressed to the great lords asking by what warrant (*quo warranto*) they acquired these powers. It seemed to many that the king was interfering with traditional and unquestioned rights. The Earl of Warenne produced an ancient and rusty sword and said, "This is my title. With this my ancestors under William the Conqueror won their lands, and with the sword I will maintain them." It was a sign that Edward would have to deal, no less than his father, with a haughty and independent baronage. In 1279 came the *Statute of Mortmain*. By this it was intended, in the interests of the barons as well as of the king, to prevent the grant of lands to churches, or to clergy as such, whereby the land would be released from its feudal obligations and the lords or the king be deprived of military services and many other dues. All grants of land to corporations, whereby the land came into the *dead hand*, were forbidden. In 1283 the *Statute of Merchants*, for the easier recovery of trade debts, in 1284 the *Statute of Rhuddlan* already mentioned, did much to simplify the work of the king's judges and financiers. In 1285 came the *Second Statute of Westminster*, which covered a large range of law, modifying and reforming. It included the law *de donis conditionalibus*, which safe-guarded the rights of legal heirs to landed property.

In the same year the *Statute of Winchester* revived and reorganized the ancient military force of the land, which had done such good service against King David in 1138, and William the Lion in 1174. It provided also for a police system, by the enforcement of the duties of citizens in watch and ward. In 1290 *The Third Statute of Westminster* (*Quia Emptores*) prevented the lessening of a feudal lord's privileges by the granting of land from one of his tenants to a sub-tenant. From this date all new grants became as grants from the original lords: and no new manors could be created. In later years there seemed little need for new laws. In 1305 the writ of 'Trailbaston'

directed the prompt and rigorous suppression of the thieves and marauders who disturbed the land. In 1307 the *Statute of Carlisle* forbade the collecting of money for the pope. This list shows the comprehensive nature of Edward's legislation, but it by no means expresses the whole of his work in legal reform. Directly and indirectly, by legislation, by the encouragement of a ^{The law} scientific study of law, and by the increase of ^{courts.} litigation which was to some extent the result of his measures, he did much both to systematically organize the law courts, and to raise up trained bodies of lawyers. Men began to be advised by 'attorneys', and represented by 'counsel'. The judges became professional men, adhering to their own work and their own courts, and not, as under Henry II., made useful wherever the king wanted them. The law courts became easier of access, and more rapid, more scientific, and more regular in their working. And in the country at large order was enforced, and men were able to live more securely and with a growing feeling of loyalty to the king and unity in the nation.

This feeling was increased by Edward's great work in the development, or the creation, of Parliament as we now know it. After various preliminary ^{The Model} efforts, he issued writs in 1295 for a parliament ^{Parliament.} which should fully represent all the classes of the nation. He did not destroy the feudal council of the king, which the barons attended because they held land of the king; but he took part of this council, and he took also from the shire courts and the church courts, and out of these he made his Model Parliament. This contained representation of the three estates of the realm, the clergy, the barons, and the people (or commons). The clergy appeared by (1) all bishops and those abbots to whom the king sent special summons, (2) two elected representatives from each diocese and each cathedral. The barons were now distinguished by Edward, who made a practical separation between the greater and the lesser, by summoning the former by special writ—and thus creating the House of Lords—and leaving the latter

without any special political privilege. Thus the 'Commons' included the lesser barons or knights, the free-holders, the citizens; and Edward created the House of Commons by requiring the sheriffs in each county to cause to be elected two knights from the shire and two citizens from each important town, who were to come to the Parliament to represent the community which elected them. These three estates were not yet divided into distinct houses, and the inferior clergy, partly because they already met in their own convocation, rarely if ever obeyed the royal summons to send representatives. But a parliament was thus created which fairly represented all interests in the land; and to this parliament Edward gave the fullest competence in advising and in ordaining that had ever been given to any English assembly. He never shook himself entirely free of the idea of kingship as involving a supreme and arbitrary power, but he aimed at, and on the whole he honestly carried out the realization of his maxim '*Quod omnes tangit, ab omnibus approbetur*' (that which touches all, should be approved by all). How important this concession was will be seen as we consider the later history of the reign.

But Edward had constantly to turn from home to foreign politics, from his great legal and constitutional reforms to the care, and the extension, of his interests abroad.

During the early years of his reign he was occupied in doing homage for his Aquitanian possessions to the ^{Edward's} French king, his cousin, and in recognizing ^{foreign policy.} his rights as feudal lord. In 1279 he succeeded in right of his wife to the county of Ponthieu, at the mouth of the Somme, which once again gave to England a footing in northern France. The Treaty of Amiens in the same year made a satisfactory arrangement between the kings. But the next ten years were years of constant political intrigue, though not of actual war. In 1286 Edward went to France for three years. He did homage to the new French king, Philip IV. (the Fair), and he busied himself in trying to make peace in Europe and

preparing for a crusade. He set himself to develop the commerce of Bordeaux, and to found new towns throughout his duchy. But the peace did not last long. The development of the southern trade, which Edward had fostered, led to war with the north. The seamen of Gascony and of Normandy were constantly fighting in the English Channel. French ships were captured, and Philip required Edward to give reparation. The English king replied that all men wronged could get justice in the English courts; and when he refused to come to Paris, Philip declared that he had forfeited the duchy of Aquitaine. After negotiations, which the French king used only to gain time, Philip, by an act of shameful treachery, gained possession of a number of castles, and soon of the whole of Gascony. Edward got up a great European alliance against him; but the troubles in Scotland and Wales, and the difficulties in his own land, prevented his ever seriously undertaking the French war. It dragged on for years with varying success, and the French continually aided the Scots, while Edward joined with the Flemings against France. At length a truce was made in 1299, when Edward married as his second wife the French king's sister, Margaret. Peace was made, May 20, 1303, by which Gascony was restored to the English king.

Scotland claimed a far greater share of Edward's attention than France. In 1286 Alexander III., the last of the old line of Scots kings, died. His heiress was Margaret, his granddaughter, only child of his daughter Margaret and Eric King of Norway. She was summoned to Scotland, and it was arranged that she should marry the young Edward of England. But she died on her voyage, and there remained no one who had clear ^{The Scots Succession.} right to the Scots crown (1290). A great number of claimants started up, and it was agreed to submit the decision to Edward I. as overlord. The rights of England over Scotland had been both indefinite and contested, and their exercise had depended upon the strength of the sovereign by whom they were enjoyed.

But Edward believed them to be genuine and fully legal, and he undertook the task of adjudging the claims as a feudal duty and in simple faith. Three claimants were prominent, Henry, Lord Hastings, John Balliol, and Robert Bruce. On November 30, 1292, the crown was awarded to John Balliol, and he did homage to Edward for the kingdom. For a while the new king ruled happily as a vassal of England. But the French war and Edward's financial troubles led before long to far more serious disturbance.

Edward had all along been hampered by want of money. He had begun his reign with heavy debts of his father's and from his own crusade. So long as there was no exceptional demand upon him, he had been able to carry on the government without any excessive taxation. In 1290 he had yielded to popular pressure, and ~~Edward's money troubles.~~ had banished all Jews from England. This was a considerable sacrifice of money to him; but the measure was unwise and wrong, and it seems to have been carried out in some cases with great cruelty. A few years later the king felt the need of those from whom he could readily obtain money, but he was too honourable to take a bribe (as the French king did) to allow the Jews to return.

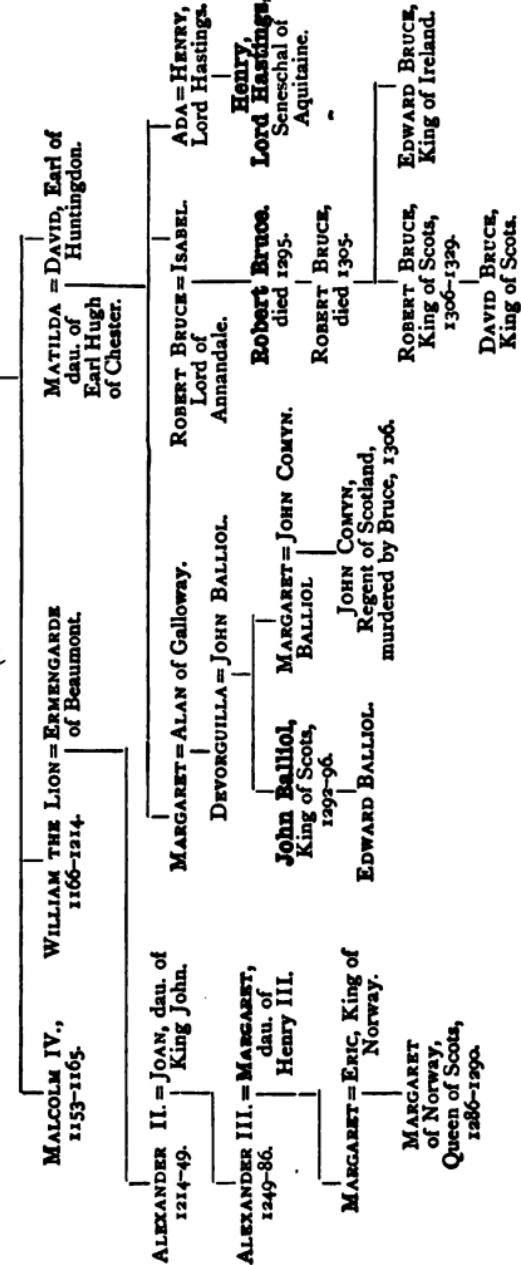
From this time troubles came thickly upon him. His devoted wife, Eleanor of Castile, whom men called "the peacemaker", died in 1290, and Bishop Kirkby his treasurer in the same year. In 1292 died the great lawyer Burnel. In 1294 a general rising took place in Wales. With the Welsh Philip of France allied himself; and he also induced John Balliol to join him. For the King of Scots had begun to chafe against his suzerain, when Edward began to interfere in local Scottish matters, by summoning Scots litigants to appear before his courts at Westminster.

It was in the midst of these troubles that Edward ~~The Scots~~ summoned his great parliament of 1295, ~~war, 1295.~~ thus asking the help and counsel of his people in his greatest stress. Help was not refused.

THE SCOTS SUCCESSION

DAVID I., King of Scots = **MAUD**, daughter of Waltheof, Earl of Huntingdon.

HENRY, Earl of Huntingdon [died before his father] = ADA of Warene.



[The names of the three claimants are given in heavy type.]

Clergy, barons, knights, and townsmen all granted liberal taxes, ranging from an eleventh to a seventh of their goods. With this he prepared to meet the threatened danger. To Gascoyne he sent a large force. Then he prepared to meet the Scots. First he sent a special summons to Balliol to attend his parliament at Newcastle on March 1, 1296, with his barons. When they did not come, Edward prepared to march against them. But already a force of near forty thousand Scots had burst into Cumberland, and was ravaging far and near. The chronicle of Lanercost, written at the time in the invaded district, says that they "surpassed the cruelty of the heathen, for, not being able to seize upon the strong, they wreaked their vengeance on the weakly, the sickly, and the young; children of two and three years old they impaled on spears and threw into the air, consecrated churches they burned, and they vilely treated and slew women dedicated to God". They were stayed by the stalwart resistance of the burghers of Carlisle.

Edward did not turn aside. He was soon before Berwick and took it with little difficulty, though with great loss of men on both sides. Thence he marched on. The castle of Dunbar was held against him by its countess, though the earl himself was in his army. The Scots sent a large force to protect it, but Edward's generals proved victorious, and on April 27 the castle surrendered to the king in person. Three of the Scots earls, four barons, and *The Conquest* *seventy* knights were among the captives. *of Scotland*. Thence Edward proceeded and took Roxburgh, Dumbarton, and Jedburgh. Edinburgh yielded to an eight days' siege, then Stirling and Perth; and on July 10 Balliol came to him at Brechin and submitted, admitting his disloyalty and surrendering the kingdom of Scotland into his hand as a justly forfeited fief.

On August 28, in a parliament at Berwick, the Scots barons took anew the oath of allegiance, and renounced their alliance with France. Edward, like Henry II. before him at the Treaty of Falaise, took the castles of

Edinburgh, Roxburgh, Jedburgh, and Berwick into his own hands; and he appointed the Earl of Warenne as guardian of Scotland. He took no bitter vengeance. Balliol was kept for only three years in honourable captivity, and was then allowed to retire to his estates in Normandy. The barons who had broken their oaths he forgave. But when he returned he took with him to England the Scots *regalia*, and the ancient stone on which the kings were wont to be crowned, and which still remains in Westminster Abbey, set into the chair on which British sovereigns now sit at their coronation. Thus Scotland submitted.

But Edward's troubles were not over. In 1296 Pope Boniface VIII. had, by the Bull *De clericis laicos*, forbidden ecclesiastics to pay any taxes on church property without the pope's leave. Edward had already done something to anger churchmen. He had compelled Archbishop Peckham to withdraw some canons which had been issued reflecting on the royal power. He had, by the Statute of Mortmain, obtained the power of stopping all grants of land to the church. He had made great demands on the clergy for money, extending in 1294 to half their revenues. And they had been reluctant to attend the national parliament which met in 1295. The Bull caused an open quarrel. Archbishop Winchelsey, who had succeeded Peckham in 1294, refused to allow any further grant; and the king thereupon declared that all clergy who would not pay were outlawed. "You that appear for the clergy," said the chief-justice at Westminster, "take notice that in future no justice is to be done them in the king's court in any matter of which they may complain; but nevertheless justice shall still be done to all persons who have any complaint against them." At this very time other classes were almost equally at variance with the king. The barons were chafing under his inquiry into their privileges, and his restrictions of their rights. The merchants were protesting against the increase of the customs (6s. 8d. on each sack of wool exported had

been first granted in 1275). It was not hard to organize a determined opposition.

In 1297 the king summoned the barons. It seemed that his model parliament had soon broken down, for the clergy were outlawed and he did not summon the Commons. Edward demanded that his barons should serve for the recovery of Gascony, while he himself went to Flanders to attack France from the north. Roger Bigot, Earl of Norfolk and Earl Marshal, and Humfrey de Bohun, Earl of Hereford, the Constable, refused to go without him. Their duty, they said, required their attendance on the king; but they had no other obligation. "By God," said Edward, "you shall go or hang." "By the same oath," answered the Marshal, "I will neither go nor hang." It seemed as if a new barons' war would break out. Edward summoned a feudal levy at Westminster, July 1297, and there a peace seemed to be made. The pope allowed the clergy to make voluntary gifts. King and clergy were reconciled. Edward confirmed the Great Charter and the Charter of the Forests. The king then went to Flanders, and his son Edward was left to arrange for the reissue of *Magna Carta*. The 'Confirmation of the Charters' is an important document. Besides renewing the Great Charter

The Confirmation of the Charters and the Charter of the Forest, and requiring that they should be read in all cathedral

churches twice a year, it declared that the king would take no more such "aids, tasks, and prises" as he had taken without the common consent of the realm, and it undertook that the *maletote* (or heavy custom) on wool should never again be levied without consent. Edward accepted and confirmed the act, and again in 1299 he renewed his oath to it. In 1300, the *Articuli super cartas* limited the power of royal officials, and ordered a forest survey. In 1301 the charters were again renewed and reform undertaken. Thus, though the king had still some means of taking money apart from Council or Parliament, he stood honestly by his word and kept within his rights. But

the archbishop and the barons still suspected him, and his last years were troubled by their distrust and opposition.

These last years were again years of strife with Scotland, Wales had again been gradually reduced to submission, and young Edward had been made its prince. But the Scots had not remained at peace after the conquest of 1296. The Earl Warenne, Edward's minister, had been attacked by an outlaw of Galloway, William Wallace (or the Welshman), and was utterly defeated at Stirling, September 10, 1297. Wallace became for a time the ruler of Scotland; the battle of Stirling had placed the land at his mercy, and he was a stern conqueror. Contemporary writers record terrible instances of his barbarity, and when he invaded England he spared neither age nor sex. The English border lords retaliated with similar brutalities. Edward determined to bitterly avenge the attack of the "governor of Scotland", as Wallace was now called. He gathered a great army at York, and after a year's delay he was ready to proceed, having now made peace with France. He pursued Wallace to the forest of Falkirk. There he won a great victory on July 22, 1298, and utterly crushed the power of Wallace. The "governor" yielded up his office and fled.

The Scots, however, would not now submit as readily as before. They declared that they held the kingdom for John Balliol, whom Edward had imprisoned, and they named three regents to rule the land for him. War went on without any decisive action, till Pope Boniface VIII. interfered, and declared that he was lord of Scotland; but the English Parliament at Lincoln, in 1301, declared that the claim was unjustifiable, and asserted Edward's right to rule. Year after year Edward fought, with varying success, till in 1303 he overran the whole land, received the submission of the regents —the Bishop of S. Andrews, John Comyn, and Robert Bruce,—and after the capture of Stirling, in 1304, drew up a plan for the ruling of Scotland, by which English judges were to be joined to the Scots and the Scots

The Rising of Scotland.

Parliament was to send representatives every year to the English Parliament.

Thus Scotland had a second time submitted to the English king; no leader still held out, and even Wallace in his exile was willing to yield on terms. The king, it appears, was ready to receive his surrender, but Wallace soon changed his mind, for he returned from France to Scotland and remained in hiding. He was captured, and executed in London, "for the robberies, murders, and felonies of which he had been guilty", for the king, in his narrow legal view of Wallace's actions, refused to see in him anything more than a chief of marauders.

Edward thought that Scotland was now at peace. But it was to remain so only for a short time. In the winter of 1305 Robert Bruce, grandson of him who had claimed the crown in 1291, murdered the regent John Comyn (who stood loyal to his oath to Edward) in the church of Dumfries; he mustered his retainers, got himself crowned at Scone, and raised a revolt against the English king.

The last campaign. Edward again marched northwards, with his nephew Aymer de Valence, Earl of Pembroke, as his lieutenant. Wherever he came he conquered, but Bruce fled from him into the wild north and could not be caught. At last Edward determined to put forth his whole strength, and gathered a great army that he might utterly crush the country. As he marched he fell sick. He stayed several months at Carlisle, and when he went forward again he died, on July 7, 1307, at Burgh-on-Sands.

In his later years and in his Scots wars he had been harsh and cruel, but he did all in firm confidence in the justice of his cause. "When he made his solemn vow, at the knighting of Prince Edward in 1306, to avenge the murder of Comyn and punish the broken faith of the Scots, he looked on them not as a noble nation fighting for liberty, but as a perjured and rebellious company of outlaws, whom it would be a shame to him as a king and as a knight not to punish."

He was a great warrior, a great lawgiver, a great worker, and he died still working. Under his hand the constitu-

tion of England had changed more than it changed for two centuries after. He had thrown his whole heart into what he did for his people, and he left marks which could never be effaced. Even in his mistakes we cannot forget that he was good as well as great, and his severity does not conceal his true love for his people.

CHAPTER VII.

THE REIGN OF EDWARD II., 1307-1327.

Edward II. was a very different man from his father. He was unlike any of his ancestors who had reigned in England. All the Angevin kings had loved to rule, whether they governed well or ill. Edward cared for none of those things. He would have been happy as a baron with half a dozen country manors to look after, or as a wealthy merchant dealing liberally with artists and craftsmen. As a king he was utterly out of place. His father had loved work, he loved nothing but ease. He was weak where his forefathers had been strong, and without being actively vicious he had no active virtue. It was an age when no king could afford to be idle, and the idleness of Edward II. was his ruin.

The new king began by disregarding his father's last injunctions. Edward I. had been a severe parent—had punished his son's faults, and had tried earnestly to train him for a life of business. Now that he was free the son seemed only to despise his father's memory. He had been instructed to carry on the Scots war with vigour: He left it immediately to the charge of Aymer de Valence. His bosom friend, Piers Gaveston, a young Gascon knight, brave but insolent, who had been brought up with him, had been banished by his father. Edward II. recalled him at once and made him Earl of Cornwall. He then crossed to France to marry Isabella, daughter of Philip the Fair, and he left Gaveston as regent

of the kingdom. On February 25, 1308, the king and queen were crowned at Winchester; and the king took an oath to hold and keep the laws "which the community shall have made", a clear sign that men knew how great power under Edward I. had come to the Commons. But such a policy was not one to propitiate the baronage, ^{Strength of} who took the occasion of the accession of a ^{the Baronage.} weak king to assert their own claims to be the real rulers of the land. And while the king was weak the barons had a strong leader. Thomas, Earl of Lancaster, was the king's cousin. He was the son of that Edmund to whom the pope had given Sicily in the time of Henry III. He had married the daughter of Henry de Lacy, Earl of Lincoln, the faithful minister of Edward I. He was high steward of England and Earl of Lancaster, Derby, and Leicester, and in right of his wife he would succeed to the earldoms of Salisbury and Lincoln. His ambition was as great as his possessions, and he lost no opportunity of increasing his power and making his opposition felt. At the king's first parliament ^{The fall of} the barons united against Gaveston, and the ^{Gaveston.} king was forced to banish him. He turned the disgrace into an honour by making him Regent of Ireland. But the removal of the favourite did not make the king govern well. Parliament was not called again for eighteen months, and the king obtained money from Italian bankers, the Frescobaldi, who collected the customs which he farmed out to them. When Parliament met, the Commons were as active as the Lords in protest against misgovernment. But the king foolishly recalled Gaveston, and in three months Gaveston had again raised the hatred of the great earls against him. The Earl of Warwick, Guy Beauchamp, had always been his foe. Lancaster had remained neutral; now he and the Earls of Lincoln, Oxford, Arundel, Hereford, and Pembroke turned against the favourite.

In March, 1310, the council of barons demanded redress of grievances, and twenty persons were appointed to make ordinances, "to the honour and advantage of

holy church, to the honour of the king and to his advantage and that of his people, according to the oath which the king took at his coronation". The "Lords Ordainers" included Archbishop Winchelsea, now returned from banishment, Warwick, Lancaster, and Lincoln. They produced to the Parliament in ^{The Ordinances of London.} 1311 the Ordinances of London. By these Gaveston was banished, and the Frescobaldi were to be dismissed. In future all great officers of state were to be appointed with the counsel and consent of the barons, and without such consent no war was to be made and no forces were to be summoned, nor was the king to leave England. The Ordinances were the last great constitutional document embodying the baronial claim to govern the country. They are strikingly similar to the Provisions of Oxford in 1258. They utterly ignore the great work of Edward I., in admitting the Commons to a share in the work of legislation. They reduce the king to a cipher, and the third estate to a mere consenting but unconsulted party.

But Edward was too weak to resist. He accepted the Ordinances, 5th October, 1311; but at the beginning of the next year, as he marched to Scotland, he recalled Gaveston and gave him back his estates. The barons at once prepared for war. They marched into Yorkshire, besieged Gaveston in Scarborough Castle, and compelled him to surrender, May 19, 1312. Then, as he went southwards to answer for his deeds at the parliament that was summoned, he was carried off ^{The murder of Gaveston.} by the Earl of Warwick and beheaded on Blacklow Hill, two miles from Warwick, on June 19, 1312, in the presence of Thomas of Lancaster. His fate was the result of the king's folly and his own greed; and he had made the barons' jealousy irreconcilable by his flouts and jeers. Warwick he had called "the black dog of Arden", and Lancaster "the mummer". The nicknames were dearly avenged.

Edward was too weak to avenge his death. The pope, the Earl of Gloucester (whose sister was Gaveston's wife),

and the king's own brother-in-law Philip of France, gave counsels of peace; and Edward professed to be reconciled to the earls who had done the deed. Year by year, indeed, he lost the little strength he had had. His father's method of constitutional government was superseded by the method of the Ordainers. Archbishop Winchelsey died in 1313, and was succeeded by the Chancellor Reynolds. Henry de Lacy, too, was dead, and Lancaster now held his earldoms. Thus in England the king was more than ever the creature of the barons and their leader.

All this while affairs in Scotland had been going from bad to worse. Robert Bruce had captured almost all the chief towns and castles. Stirling still held out, and Edward determined to relieve it. But Lancaster and the barons, who had been intriguing with Bruce, and who by no means wished to see their king a successful general, refused to follow him to the war because the consent of ^{The Battle of} the baronage in Parliament had not been ^{Bannockburn.} asked as the Ordinances required. Edward nevertheless gathered a great army. He had thirty thousand horsemen, besides many irregular levies from Wales and Ireland as well as England, and a body of good archers. The armies met at Bannockburn, near Stirling, June 23, 1314. Bruce had a much smaller force, and they were mostly footmen. But he had the advantage of having chosen the ground, and he had digged rows of pits, which he fitted with stakes, to protect his own position and check the charge of the English knights. The English archers were driven back, and the furious onset of the knights failed to break the Scots' stubborn squares of pikemen. The confusion that followed led to flight, and when the feeble king turned his rein, all the English troops streamed from the field in disorderly rout. The gallant young Earl of Gloucester, Edward's own kinsman and his only true friend, was left dead on the field.

The battle of Bannockburn won the independence of Scotland, and it completed the ruin of the English king. Revolts began in Ireland and Wales. The latter was

soon checked; but in Ireland Edward Bruce was crowned king, was joined by his brother the King of the Scots, and for three years ravaged the land, doing great damage, till in October 1318 he was defeated and slain near Dundalk by the lords of the English pale (*i.e.* the district in which the English ruled).

Lancaster now ruled supreme in England. He made the king dismiss his ministers, put him on an allowance, and required that he should *live of his own* ^{The rule of} *Lancaster.* (that is, on his income from land and feudal dues, and without taxation). Robert Bruce conquered all Scotland and even captured Berwick, and Thomas of Lancaster would not oppose him. In England there was nothing but confusion and private war. In 1318 a new council was appointed, but Lancaster was still supreme. In 1319 Edward made another attempt to recover Scotland, but was driven back, and the Scots invaded England and defeated the Yorkshire militia at Mytton Bridge —a fight called the 'Chapter of Mytton', because so many clergy were slain. All this while Lancaster, though supreme, seemed to care as little as the king for the exercise of power. He would not attend Parliament, he would not fight the Scots, and the barons were gradually deserting him and dividing into parties. The king was winning over the Earls of Warenne and Pembroke; and the two Despensers, the elder of whom had been of Simon de Montfort's party in the Barons' war, were holding the position of his ministers.

The heirs of the last Earl of Gloucester who fell at Bannockburn were the husbands of his three sisters, the younger Despenser, Roger d'Amory, and Hugh of Audley. D'Amory and Lord Badlesmere, with Pembroke, formed a party to oust Lancaster from power, but they were by no means agreed on their course of action. On the Welsh marches the Earl of Hereford and Roger Mortimer would not keep order, and came into conflict with the Despensers. On July 15, 1321, the barons in Parliament accused and condemned the Despensers as having interfered without authority in the government and having enriched them-

selves by the perversion of justice. They were sentenced to forfeiture and banishment. Lancaster was again supreme.

But in October an insult to the queen offered by Lady Badlesmere led Edward to raise an army, with which he punished the offender and then marched on to seize the castles of Hereford and D'Amory. Lancaster had not interfered to save the Badlesmeres; he got together an army when it was too late. The king recalled the Despensers, and was soon at the head of a large force.

The King's triumph, 1322. On March 16, 1322, the Earl of Hereford and the Earl of Lancaster were defeated by Sir Andrew Harclay at Boroughbridge. Hereford was killed and Lancaster taken captive. Five days later he was tried for high treason in the castle of Pontefract, and was condemned. He was executed as a traitor.

The king had at last won an unexpected triumph. A parliament at York revoked the Ordinances, and declared that "all matters to be established for the estate of our lord the king and his heirs, the realm and people, shall be treated, granted, and established in Parliament by our lord the king, and by the consent of the clergy, earls, and barons, and by the commonalty of the realm". This was a return to the good rule of Edward I., and it showed that his son now claimed to rule the kingdom by the popular counsel, and not, as the barons wished, only through the nobles.

But Edward, whatever his intentions, seemed incapable of ruling well. He marched against the Scots, but he *His incapacity* had no success. Sir Andrew Harclay, whom for rule he trusted, intrigued with Bruce, and was executed as a traitor. At length a truce was made with the Scots for thirteen years in May 1323. It was a time of bad harvests and much misery among the poor. Edward left government wholly to the Despensers, who proved greedy and thought only of enriching themselves. So matters went on from bad to worse, and at length even Edward's wife turned against him.

In 1323 Charles the Fair, the new King of France,

demanded that Edward should do homage for his great French fiefs of Guienne and Gascony. The Despensers, whose support lay only in the king, refused to let him leave England. At length he sent his wife with his young son Edward, whom he made Duke of Aquitaine and Count of Ponthieu. At the French court ^{Invasion of} Mortimer. she made friends of her husband's foes, and she fell in love with the banished lord marcher, Roger Mortimer. A plot was arranged, in which even the king's brother Edmund, Earl of Kent, joined. On September 24, 1326, Queen Isabella landed at Orwell. Earl Henry of Lancaster joined her with the remains of his brother's party, and all the bishops, too, pronounced against the king. Edward fled to Wales. The Despensers were captured and hanged.

Young Edward was declared guardian of the kingdom, and he summoned a parliament in his father's name. Then the king was captured and put in prison at Kenilworth. On the 7th of January, 1327, Parliament met, and was asked to choose between father and son. No one save four honest bishops protested in favour of the king's rights. The miserable Archbishop Reynolds uttered the wretched saying that "the voice of the people ^{Deposition of} was the voice of God". Six articles were ^{the King.} drawn up as reasons for the deposition. (1) The king was incompetent to govern; he ever chose ill counsellors, and could not tell ill from good. (2) He had always resisted good counsel, and had spent his time in unworthy occupations. (3) By his lack of government he had lost Scotland, Ireland, and Gascony. (4) He had injured the church, and imprisoned, exiled, and slain many great men. (5) He had broken his coronation oath. (6) He had ruined the realm and could not mend himself. On January 20 the articles were sent to the king by the hands of twenty-four representatives of all classes in Parliament. He admitted their truth and resigned the crown. He lingered on for eight months, while England was ruled by Isabella and Mortimer with savage cruelty. Henry of Lancaster first had charge of the deposed

Edward, but he was soon transferred to less scrupulous hands. ^{His murder.} On September 21, 1327, he was murdered in Berkeley Castle, men said in a horrible way. Thus miserably perished the son of the great Edward, a man who might have ruled with his people's love as he was left with the strength of his father's government. No more piteous tale of mere idle refusal of goodness and of honest work is to be found in English history, and certainly no more piteous retribution.

It was a true king that men in the fourteenth century needed, and Edward II. was no king in heart or in mind. Weakness often meets a harsher fate than crime, but Edward's weakness was a crime no less than a failure.

CHAPTER VIII.

ENGLAND UNDER THE HOUSE OF ANJOU.

The two hundred years from the accession of Stephen to the death of Edward II. cover one of the most momentous periods in our annals. In 1135 England was a conquered country, at the mercy of a strong king or a turbulent baronage, governed by foreigners, slowly settling down under a system of land tenure which was new and strict and oppressive. The old self-government of the English was suspended, if not destroyed; but its survivals, and the influence of routine, gave hope for the future. The experience of the unchecked independence of hundreds of petty lords was bitter but useful; it gave strength to the sentiment of loyalty and confidence in the throne, which was the true support of Henry II., of Richard I., of the great Edward.

In 1327 England had enjoyed a self-government of a different kind, but of much greater possibilities than the early English system had ever offered. The people were not only recovering the management of their own local

affairs—they were obtaining control over the central government itself.

The change was a great one, and it was due most of all to the action of the kings. It is impossible to exaggerate the influence of the individual character of ^{The} ^{Monarchy} the monarch in the twelfth and thirteenth centuries. A strong king could often carry all before him; a weak king could lose more than all a strong king had won. "The hearts of kings and their thoughts are in the hand of God," wrote a minister of Henry II., "and by His judgment they stand or fall." Thus it was not for meaner persons to judge them or even to discuss their actions. This was the theory that commended itself to men's minds under a born ruler of men. It was quite different when men had a king who could not discern between good and evil. The career of Henry II., strong but wicked, finds the completest possible contrast in that of Edward II., weak but not vicious. Thus the power of the nation abroad, and its internal condition also, seem during this period at the mercy of the man who may be seated on the throne. But in reality, by a slow process, the work of the great kings is giving to the people the power to control the kings themselves: it is the policy of Henry II. and of Edward I. that makes the deposition of Edward II. possible.

The two centuries, then, leave the king scarcely less strong, but they place his strength more definitely in union with his people and therefore ultimately under their control. With the baronage the case is different. The barons of Edward II., turbulent and selfish ^{The} ^{Baronage} though they are, are of a different race to those who fought for Stephen or Matilda. In 1135 the barons were determined to continue as independent feudal magnates; in 1327 they had learnt that it was impossible to resist the central authority, and they therefore endeavoured to win that central authority for themselves. Besides this they had been foreigners, ruling with a foreign king over a conquered people; they became Englishmen, under a king as English as any of our sovereigns, and

they felt themselves of the same race as the yeomen and **The Church.** the citizens beneath them. The church was the most stable institution of the period. It fought with strong kings and it coerced weak ones. It was by no means always wise or happy, but it gave England great administrators and hardworking statesmen, and it helped to win *Magna Carta* and the *Confirmatio Cartarum*. During the whole of the period it could be said that the church was on the side of liberty; while men like Becket, Edmund Rich, Robert Grosseteste, and a crowd of forgotten friars, helped to give Englishmen a high ideal of purity and self-sacrifice, and to mould the best features of English life.

The people themselves were winning new rights during this time. The system of the manor, by which the lord **The People.** ruled despotically over all men dwelling on his land, whom the lawyer held to be little better than his slaves, was being gradually relaxed. The local courts of hundred and shire, which the tenants (or villeins) came to attend, conferred or recognized rights in them, which grew as time went on. The people could make oath before the king's justices, they could grant and assess taxes in the county court, and they came to vote for men who should speak for them in the national councils. But the greatest change of all was certainly in the towns. From the accession of Henry II. to the death of Henry III. there is a continuous succession of charters to town bodies and corporations. The towns were organized with extraordinary complexity and completeness. **The Towns.** The great merchants had a guild —this began as early as William I.—which grew to govern all the trade in the town, and which came to ask the kings for privileges of ruling, and of freedom, for the city itself. Thus the charters of Henry II. and Richard I. were often granted to the "citizens of the merchant guild". The towns won the right to collect their own dues according to their own rules, and pay them in a lump sum to the treasury without the interference of the king's sheriff. Then they came to seek, what towns in

France were winning already, full control of all their own affairs and recognition by the state as a single unit. Thus the great towns, when they received the grant of a "Communa" (this was general under John and Henry III.), were treated as a single person, and might deal, just as a great baron or bishop might, directly with the state. They won the right of choosing their own chief magistrate. Under Richard I. London was allowed to choose its mayor and Lincoln its reeve, and the privilege soon became common.

Within the towns the men of each trade clustered together and held themselves close, in streets which bore the names of their trades, watching with special ^{The Craft} _{Guilds.} watchfulness over their own privileges. Thus each craft came to have its guild. Lads had to serve apprenticeship under a craftsman till they were free to work on their own account, and at length were admitted to be master-craftsmen themselves. These guilds protected the workmen and kept up the work done to a worthy standard; but they were jealous of intruders, and more and more kept each trade in its own family succession. But the towns were constantly growing, and the country folk came eagerly to them to secure their full freedom, and to enjoy the privilege of having their own free houses and their own work uncontrolled save by the rules of the guild.

Thus the towns increased enormously during the thirteenth century, and it was in them that the church, and especially the friars, found their chief work. The wealth that came from trade showed itself in new ^{Architecture.} houses and new churches. Stone houses, like the famous house of Aaron the Jew, still standing in Lincoln, began slowly to replace the cottages built of wood and wattles. Stone churches everywhere superseded the old English churches of wood. They began, too, to be built in a new style. S. Hugh of Lincoln, the friend of Henry II. and Richard I., was one of the earliest to introduce the work that is called *Early English* or *pointed*. In this there are long, narrow lancet windows,

pillars with clustered shafts, finely moulded and decorated, and tall pointed spires; and the churches are generally long, with fine vaulted roofs. The cathedral of Salisbury, begun in 1220, by Bishop Herbert le Poer, and finished in 1260, is a splendid specimen of this style; and we have also the choir of Lincoln Minster, and the king's hall at Winchester, and later the abbey of Westminster, which Henry III. rebuilt over the shrine of Edward the Confessor. In the latter part of the thirteenth century came another change. The windows began to have tracery work in simple geometrical figures. Additional decoration was constantly being given to the stone-work, to the pillars and the windows, both in geometrical and in flowing style, and thus we reach the period of Architecture called *Decorated*, which flourished during the greater part of the fourteenth century, and which gave us much of the work in the cathedrals of York, and Exeter, and Ely. The men who built these great churches must have been both rich and religious. Thus we find the merchants recognized as a separate class, taxed separately, and holding special councils with the *Popularity of king, under Edward I.* And thus the chroniclers are full of stories which show the simple and beautiful religious faith which existed among the people at large. Church services were very well attended. The poor working people could often go to church daily—and on saints' days there were holidays, when all men attended special thanksgivings, and then held public games and entertainments. There was great reverence for special holiness of life. Many Englishmen were canonized as saints, but the people had held them for such before the church gave them the name. Such were S. Thomas Becket, S. Hugh of Lincoln, S. Edmund Rich, S. Richard of Chichester; and men called a little boy, whom they said the Jews murdered at Lincoln, 'S. Hugh', while some even desired to give like honour to Earl Simon de Montfort.

The monasteries found employment for many who would otherwise have starved. The great religious houses scat-

tered over Yorkshire, Lincolnshire, East Anglia, the borderlands of Wales and Scotland, and less thickly over the midland and southern shires, did ^{The mon-} a great work in reviving agriculture, and in ^{asteries.} founding what became the chief English industry, the wool trade. Under Richard I., John, and Henry III. the wool of the Cistercians was a great part of the wealth of England; these kings seized them without scruple, and it was on the wool and wool-fells (sheepskins) that Edward I. placed special taxes when he was in greatest need. A new feature was added to English life by the coming of the Friars, by whom the poorest people were ^{The Friars.} brought nearer to the ministrations of the church, and were also made to express their feelings as to the needs and dangers of the time. The great schools or universities, in the chief monasteries, and especially in the towns of Oxford and Cambridge, grew enormously under Henry III. Even under Stephen there had been lectures in Roman law at Oxford. By the end of the thirteenth century the two universities became the chief seats of learning in England, and brought up the men who led the religious and political thought of the day.

Thus through the greatness of her kings and their foreign possessions, through her trade and the influence of her church and her universities, England had become known as a great power in Europe. To retain this position she depended not a little upon her <sup>The army
(1) national
force.</sup> mentioned, the old English *fyrd* or national militia was kept up. It did good service under Stephen and under Henry II., and it was reorganized and improved by the latter king, by Henry III., and by Edward I. It remained without great alteration during the whole of this period, but it was gradually becoming connected more with police arrangements and the ordinary keeping of the peace than with active military duty. Edward I. began the custom of issuing 'Commissions of array' to certain individuals, by which they were empowered to select from the national militia a certain number for

special duty. These were paid by the crown. The feudal (2) ^{feudal} obligation to serve forty days in the lord's levy. cause gradually broke down under the difficulties that arose out of the constant demands of the kings' foreign wars. Henry II. endeavoured to avoid the danger as well as the inconvenience of calling out the whole feudal force by taking a fixed payment (scutage) instead. He then used the money for the employment of mercenaries. But hired troops, as the only kind of standing army known, were always unpopular in England; Henry II., after 1174, never employed them again in England, and nothing so decisively turned the nation against John as the raids of his foreign hirelings. As Normandy was severed from England the obligation to serve in the field began to sit lightly on the English barons. S. Hugh's famous refusal to pay for troops out of England was followed a century later by the refusal of the two great earls to serve themselves except where the king went. And in the latter case the earls asserted that they served rather as officials, the Marshal and Constable, than as feudal barons bound by the holding of their land to military service to their lord.

During this period the English were acquiring the unquestionable sovereignty of the seas. Henry II.'s ^{The navy.} fleet was an important feature in the national strength. The defeat of the French succours in 1217, by some forty ships of the Cinque Ports under Hubert de Burgh, was the first battle in which England was saved from conquest by the courage of her seamen. The encouragement of these towns, Sandwich, Dover, Hythe, New Romney, and Hastings, was one of the chief works of the kings between 1200 and 1300. They were required to furnish ships, and they received great and special privileges in return. Though thus recognized and rewarded by the state, they were little more than nests of ^{The Cinque} pirates, claiming to act under royal sanction, ^{Porta.} but quite as often fighting only for their own hands. By Henry III.'s Shipping Ordinance of 1229, it was declared that the Cinque Ports and neighbouring towns

furnished fifty-seven ships, and one thousand one hundred and ninety-seven persons to man them. Edward I. greatly increased the privileges of the Ports, and the long sea-fights of 1293, which led to a practical war with France, show the strength as well as the piracy of the half-recognized English fleet. Besides the ships of the Cinque Ports Henry II., Richard I., and John did much to develop a regular English navy. Under Richard I. for the first time England undertook a distant expedition by sea, and his fleet was famous among those of the Crusading nations for its strength, and for the strict regulations under which it was placed. John appears to have been the first sovereign to give a permanent engagement to seamen, and under him the supremacy of England in the Channel was asserted more clearly than it had been claimed by previous kings. The "sovereignty of the narrow seas", however, was long contested. It was admitted by the Flemings in 1320, but little practical result came from the admission. England, however, could more than hold her own in the Channel, and her fleet could keep off all invasion. Under Edward III. she was to become unquestionably supreme.

Such was England, learning union within and having strength without, when Edward II. ended his feeble reign. Great kings had made her great in Europe, *The strength and as yet she had gained perhaps more than of England.* she had lost by her introduction into the foreign interests which sprang from her sovereigns' foreign birth and inheritance. If she was no farther advanced than some other lands in the self-government of her people, her progress had been sure, and her free institutions were more firmly based than those of France or of the Spanish kingdoms.

And within, in spite of poverty on the outskirts of the towns and the hard lives of some of the half-servile poor, men as a rule lived well, and comfort greatly increased during the two centuries we have traversed. It was an era of emancipation among the poor in town and country. The population rose to nearly four millions. The growing

riches of the country were seen not only in its buildings but in the strong, substantial clothes men wore, the bright colours, the fine furs, and the costly jewels that were loved *The national feeling.* by men and women alike. Foreign connexions had brought some foreign tastes, but Englishmen were able to hold their own; the church and the baronage, as well as the people of the thirteenth century, were strongly national, and the great King Edward I. was truly a national monarch.

INDEX.

Acre, captured by Richard I., 43.
Adela, daughter of William I., mother of King Stephen, 9.
Adrian IV., Pope, grants Ireland to Henry II., 26.
Alexander, Bishop of Lincoln, imprisoned by Stephen, 21.
Alexander III., Pope, his difficult position in the Becket quarrel, 23; supports Becket, 23; absolves Henry II., 24.
Alnwick, battle of, 28, 32.
Amiens, the Mise of, 73.
Anjou, the counts of, 8.
Aquitaine, comes by marriage to Henry II., 27; rebellions in, 30, 68; seized by Philip the Fair, 89; recovered by Edward I., 89.
Arsouf, battle of, 44.
Arthur of Brittany, 47; his claims, 50; murdered by King John, 51.
Ascalon, Richard I. at, 44.
Balliol, John, is awarded the Scottish crown by Edward I., 90; makes war on England, 92; deposed, 92.
Bannockburn, battle of, 100.
Barons' War, the, 73-76.
Barri, Gerald of, his books on Ireland, 27.
Becket, Thomas, chancellor of Henry II., 19; made archbishop, 21; opposes the king, 21; exiled, 22; reconciled to Henry, 23; returns to England, 23; murdered, 23.
Bigot, Roger, Earl of Norfolk, resists Edward I., 94.
Blanche, niece of King John, marries Louis VIII. of France, 50.
Bouvines, battle of, 55.
Bristol, castle of, 13.
Brittany, ruled by Henry II., 30; revolts, 30, 33.
Bruce, Edward, makes himself king of Ireland, 100; slain in battle, 101.
Bruce, Robert the Elder, claims Scottish throne, 90.
Bruce, Robert the Younger, rebels against Edward I., 96; his defeats, 96; victorious at Bannockburn, 100; ravages England, 101; recognized as king, 102.
Burgh, Hubert de, wins battle of Dover, 60; justiciar of Henry III., 61; disgraced, 63.
Carucage tax levied by Richard I., 46.
Cashel, Synod of, 26.
Chaluz, Richard I. killed at, 47.
Charter, the Great, signed by John, 56; confirmed by Henry III., 67, 71; confirmed by Edward I., 94.
Château Gaillard, built by Richard I., 47; taken by French, 51.
Chester, Ralph, Earl of, rebels against Stephen, 13.
Cinque Ports, the, 110, 111.
Cistercian monks, their settlement in Yorkshire, 16.
Clarendon, Constitutions of, 22; Assize of, 28.
Clericis Laicos, the Bull, 93.
Colombières, interview of Henry II. and Philip II. at, 34.
Comyn, John, Regent of Scotland, 95; murdered by Robert Bruce, 96.
Confirmatio Cartarum, the, 94.
Constance of Brittany, marries Geoffrey, son of Henry II., 30.
Coroners first instituted, 46.
Coutances, Walter of, justiciar of Richard I., 42, 45.
Crusade, preached in England and France, 33; Richard I. at the third, 43, 44; Edward I. at the, 77.
Cumberland ceded to Scotland by Stephen, 11; taken back by Henry II., 19.
Cyprus conquered by Richard I., 43.

Danegeld, quarrel of Henry II. and Becket concerning, 21.

David I. of Scotland, aids Queen Matilda, 10; defeated at the battle of the Standard, 11.

Dermot of Leinster, introduces English into Ireland, 26.

Despenser, Hugh, favourite of Edward II., 101; executed by rebels, 103.

Dover, naval victory at, 60.

Dunbar, battle of, 92.

Ecclesiastical Courts, strength of, under Stephen, 11, 15; attacked by Henry II., 22; their powers restricted by Edward I., 93.

Edmund, son of Henry III., proclaimed King of Sicily, 68.

Edward I., his place in the Barons' war, 72-75; taken prisoner at Lewes, 75; victorious at Evesham, 76; his Crusade, 77; his accession, 80; conquers Wales, 84; the great legislative acts of, 85; domestic policy of, 85-87; French war of, 89, 90; arbitrator of the Scots crown, 89; his Scottish wars, 92, 95, 96; his quarrel with Archbishop Winchelsea, 93; character of, 81, 82.

Edward II., proclaimed Prince of Wales, 85; his weak character, 97; oppressed by the Lords Ordainers, 99; defeated at Bannockburn, 100; his revenge on Lancaster, 102; ruled by the Despensers, 102; deposed, 103; murdered, 104.

Edward III., used as a tool by Mortimer and Isabella of France, 103; crowned king, 104.

Eleanor, sister of Henry III., marries Pembroke, 63; marries Simon de Montfort, 64, 66.

Eleanor of Aquitaine, marries Henry II., 17; incites her sons to rebellion, 30; aids Richard I., 45; defends John's French dominions, 50, 51.

Eleanor of Castile, queen of Edward I., 77, 88; her death, 90.

Eleanor of Provence, queen of Henry III., 63, 64.

Essex, Geoffrey de Mandeville, Earl of, his conduct in the civil wars, 14.

Essex, Henry of, disgraced for cowardice in Wales, 24.

Eustace, son of Stephen, 14; his death, 15.

Evesham, battle of, 76.

Exeter, taken by Stephen, 10.

Falkirk, victory of Edward I. at, 95.

Fitz-Osbert, William, stirs up riots, 46.

Flanders, alliance of John with, 54; of Edward I. with, 94.

Fornham, battle of, 30.

France. See under names of *Louis VII.*, *VIII.*, and *IX.*; *Philip II.*, *III.*, and *IV.*

Frederick I., Emperor, relations of Henry II. with, 37.

Frederick II., Emperor, marries Isabel of England, 63.

Fyrd, the old English militia, 10; serves against the Scots, 10; called out by Henry II. against the revolted barons, 28; reformed by Edward I., 86.

Gaveston, Piers, friend of Edward II., 97; his quarrel with the Lords Ordainers, 98; murdered by Warwick and Lancaster, 99.

Geoffrey of Anjou, father of Henry II., 8, 17.

Geoffrey, brother of Henry II., his rebellion suppressed, 19.

Geoffrey, son of Henry II., marries Constance of Brittany, 30; his death, 33.

Geoffrey, Archbishop of York, son of Henry II., adheres to Henry II., 34; his troubles with Richard I., 42-46.

Giraldus Cambrensis. See *Barri, Gerald of.*

Glanville, Ranulf, justiciar of Henry II., 32.

Gloucester, Gilbert, Earl of, allied to de Montfort, 75; joins Prince Edward and overthrows Simon, 76.

Gloucester, Gilbert (2), Earl of, helps Edward II., 99; slain at Bannockburn, 100.

Gloucester, Robert, Earl of, supports Queen Matilda, 10; defeats Stephen, 13; taken prisoner, 14; dies, 14.

Grosseteste, Robert, Bishop of Lincoln, his political doings, 67.

Gwynedd, Welsh principality of, conquered by Edward I., 83.

Harding, Stephen, founds Cistercian order, 16.

Henry I., his character and death, 8.

Henry II., disputes the crown with Stephen, 15; his accession, 16; his strong government, 17, 19; his quarrel with Becket, 19, 26, 27; makes Scotland tributary, 28; his legislation, 31, 32; his conquest of Ireland, 26; quells first rebellion of his sons, 31; later troubles of his reign, 34; his character, 35.

Henry III., crowned at Gloucester, 59; his minority, 61-63; deposes Hubert de Burgh and rules for himself, 63; his misgovernment, 64, 66; his league with the pope, 64; opposition of the barons, 67; his French war, 68, 69; accepts Provisions of Oxford, 70; civil war with de Montfort, 73; taken at Lewes, 75; his deliverance at Evesham, 76, later years of, 77, 78.

Henry VI., Emperor, imprisons Richard I., 45.

Henry, son of Henry II., his coronation, 23; rebels against his father, 30.

Henry of Almaine, nephew of Henry III., murdered by the young Montforts, 76.

Henry, Bishop of Winchester, submits to Queen Matilda, 13; returns to King Stephen, 14.

Hereford, Humfrey Bohun, Earl of, quarrels with Edward I., 94.

Hugh, Bishop of Lincoln, opposes illegal taxation, 47.

Innocent III., Pope, his quarrel with King John, 53.

Inquest of Sheriffs, the, 29.

Ireland, state of, in 12th century, 25; landing of Richard of Clare in, 26; does homage to Henry II., 26; rebellions in under Henry III., 63; invaded by Edward Bruce, 100; reconquered from him, 101.

Isaac of Cyprus, deposed by Richard I., 43.

Isabel of Angoulême, marries King John, 50.

Isabel of England, marries Frederic II., 63.

Isabella of France, marries Edward II., 97; betrays him, 103; causes him to be murdered, 104.

Jerusalem, crown of, refused by Henry II., 39; advance of Richard I. towards, 44.

Jews, persecution of, in reign of Richard I., 41; expelled from England by Edward I., 90.

John, made Lord of Ireland, 26; conspires against his father, 34; given great possessions, 41; conspires against Richard I., 42, 45; his accession, 48; his wars with Arthur of Brittany and Philip of France, 50; loses Normandy and Anjou, 51; his quarrel with the pope, 52; the interdict, 53; resigns the crown to Innocent III., 54; troubles of, with the barons, 55; signs the Great Charter, 56; last struggles of, 57, 58.

Jury, origin of the, 19, 28.

Kenilworth, victory of Edward I. at, 76; agreement at, 76.

Kent, Edmund, Earl of, joins rebellion against Edward II., 103.

Lacy, Henry de, justiciar of Edward I., 82.

Lancaster, Henry, Earl of, joins in deposing Edward II., 103.

Lancaster, Thomas, Earl of, 98; opposes Gaveston, 99; government of, 100; overthrown and executed by Edward II., 102.

Langton, Stephen, made Archbishop of Canterbury by Innocent III., 53; joins the barons, 55; aids in drawing up Magna Carta, 56.

Leicester, Simon, Earl of. See under *Montfort*.

Leinster, Dermot, King of, invites the English to Ireland, 26.

Leopold of Austria, imprisons Richard I., 45.

Lewes, battle of, 75; Mise of, 75.

Lincoln, Stephen defeated at, 13; the French defeated at, 60.

Llewellyn, Prince of North Wales, his rebellions against Edward I., 83; defeated and slain, 84.

London, sides with King Stephen, 10; expels Matilda, 13; riots in, under

Richard I., 46; sides with the barons against John, 56; supports de Montfort, 73, 75.
 Longchamp, William, justiciar of Richard I., 41; his misgovernment, 41; expelled from England, 42, 43.
 Louis VII., divorces Eleanor of Aquitaine, 17; at war with Henry II. about Toulouse, 20; shelters Becket, 22, 23; long struggle of with Henry II., 30 *sqq.*
 Louis VIII., set up as king of England by the barons, 58; forced out of England, 60.
 Louis IX., his war with Henry III., 68, 69; arbitrates between Henry III. and the barons, 73.
 Lucy, Richard de, justiciar of Henry II., 30, 32.
 Magna Carta, signed by John, 56.
 Maletote, levied by Edward I., 94.
 Margaret of France, married to the young Henry, 20.
 Margaret of Norway, Queen of Scotland, her death, 89.
 Marsh, Adam of, his writings, 62, 67, 79.
 Martin, papal legate, his exactions, 67.
 Matilda, daughter of Henry I., excluded by Stephen, 9; lands in England, 11; her victories, 13; driven from London, 13; escapes from Oxford, 14; retires to the Continent, 14.
 Matilda of Boulogne, wife of Stephen, rallies his party after the battle of Lincoln, 73, 74.
 Matthew Paris, his works, 62, 64; his criticism of Henry III., 62.
 Mirabel, siege of, 50.
 Mise of Amiens, the, 73.
 Mise of Lewes, the, 75.
 Monasteries, multitude of, founded in reign of Stephen, 16; character of in 13th century, 79, 109; legislation of Edward I. against, 86.
 Montfort, Simon of, Earl of Leicester, marries Princess Eleanor, 66; ruler in Gascony, 68; quarrels with Henry III. and heads the baronial opposition, 71; raises civil war, 73; his victory at Lewes, 75; his parliament and government of, 75; slain at Evesham, 76.
 Mortimer, Roger, conspires against Edward II., 103; murders him, 104.
 Navy, the, 110, 111.
 Nigel, Bishop of Ely, deprived of his See by Stephen, 11.
 Norfolk, Roger Bigot, Earl of, opposes Edward I., 94.
 Normandy, submits to Stephen, 10; conquered by Philip Augustus, 51.
 Northampton, council of, 22.
 Ordainers, the Lords, 99.
 Otto, papal legate, his exactions, 66.
 Otto of Saxony, Emperor, allied to John, 54; defeated at Bouvines, 55.
 Oxford, siege of, by Stephen, 14; great council at, held by John, 55.
 Oxford, the Provisions of, 70.
 Pandulf, papal legate, overawes King John, 54; serves Henry III., 61.
 Parliament, origin of the word, 69.
 Parliament, the Mad, 71.
 Parliament, development of by de Montfort, 75; by Edward I., 87; position of under Edward II., 99.
 Peckham, Archbishop, 93.
 Pembroke, Richard, Earl of (Striguil), conquers Leinster, 26.
 Pembroke, William Marshal, Earl of, serves King John, 51; regent for Henry III., 59, 60.
 Pembroke, Richard Marshal, Earl of, his rebellion and death, 63.
 Pembroke, Aymer de Valence, Earl of, commands in Scotland, 96; serves Edward II., 97.
 Philip II. King of France, his wars with Henry II., 33; his crusade, 43; intrigues against Richard I., 45; wars of, with Richard I., 47; conquers Normandy and Anjou, 51; threatens to invade England, 54.
 Philip IV. King of France, his unjust dealings with Edward I., 88, 89; his peace with England, 95.
 Pontigny, residence of Becket at, 22; of Edmund Rich at, 66.
 Puiset, Hugh of, Bishop of Durham, his power under Henry II., 31, 40; made Earl of Northumberland by Richard I., 40.

Quia Emptores, statute of, 86.
Quo Warranto, writ of, 86.

Ralph, Earl of Chester, rebels against Stephen, 13.
 Rich, Edmund, Archbishop of Canterbury, 22.
 Richard I., rebellions of, against Henry II., 30, 34; his accession, 39; goes on crusade, 43; his exploits in Palestine, 44; imprisoned in Germany, 45; restores order in England, 47; later wars of, 47, 48.
 Richard of Cornwall, son of John, heads baronial opposition, 64, 66, 67; his pretensions to the imperial crown, 70; aids Henry III. in the Barons' war, 75.
 Rishanger, William of, chronicler, 62.
 Robert I. of Scotland. See under *Bruce*.
 Robert, Earl of Gloucester, aids Queen Matilda, 11; wins battle of Lincoln, 13; taken prisoner, 14.
 Roches, Peter des, minister of Henry III., 63.
 Roger, Bishop of Salisbury, imprisoned by Stephen, 11.
 Rouen, taken by Philip of France, 51.
 Saladin, takes Jerusalem, 33; campaigns of Richard I. against, 43, 44.
 Salisbury, John of, his writings, 36.
 Salisbury, William Longsword, Earl of, burns French fleet, 54; defeated at Bouvines, 56.
 Scarborough, Gaveston besieged at, 99.
 Scone, Bruce crowned at, 96.
 Scotland. See under *Alexander II.* and *III.*, *David*, *Robert I.*, *Balliol*, *Wallace*, &c.
 Scutage imposed by Henry II., 20.
 Sheriffs, the Inquest of, 29.
 Spain, dealings of Henry II. with, 37.
 Standard, battle of the, 10, 11.
 Statute of Wales, 85.
 Stephen, King, his accession, 10; his quarrel with the clergy, 11; rebellions against, 12; taken prisoner, 13; released and restored, 14; dies, 15.

Stirling, battle at bridge of, 95; siege of, 100.
 Theobald, Archbishop of Canterbury, 14, 15.
 Thomas of Lancaster, intrigues against Gaveston, 98; contests the government of the realm, 101; his rebellion and death, 102.
 Thurstan, Archbishop of York, 10.
 Toulouse, the war of, 20.
 Touraine, held by Henry II., 17; conquered by Philip Augustus, 51.
 Towns, the, in the 13th century, 106, 107.
 Trailbaston, writ of, 86, 87.
 Tutbury, taken by Edward I., 73.
 Valence, William and Aymer of. See under *Pembroke*.
 Wales, campaigns of Henry II. in, 24; troubles of, in time of Henry III., 63, 70; conquered by Edward I., 84; reorganization of, 85.
 Wallace, William, rising of, 95; defeated at Falkirk, 95; taken and executed, 96.
 Wallingford, treaty of, 15.
 Walter, Hubert, archbishop and justiciar, 45, 47; death of, 52.
 Walter of Coutances, justiciar, 43, 45.
 Warrenne, John, Earl of, opposes *Quo Warranto*, 86; wins battle of Dunbar, 92; defeated by Wallace, 95.
 Warwick, Guy, Earl of, 98; slays Gaveston, 99.
 Wash, John's disaster at the, 58.
 Westminster, First Statute of, 85; Second Statute of, 86; Third Statute of, 86.
 Wexford, taken by the English, 26.
 William the Lion, King of Scots, makes war on Henry II., 28, 31; does homage, 28, 50.
 Winchelsea, Archbishop, his quarrel with Edward I., 93; a Lord Ordainer, 99.
 Winchester, Matilda at, 13.
 Winchester, Statute of, 86.

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